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Sectoral policy questions: industrial development cooperation

Implementation of General Assembly resolution 53/177

Note by the Secretary-General**

In accordance with General Assembly resolution 53/177 of 15 December 1998, the Secretary-General has the honour to transmit to the Assembly the report of the Director-General of the United Nations Industrial Development Organization, which provides an overview of efforts under way in the area of industrialization for development, including international cooperation in support of developing countries in this field.

* A/55/150 and Corr.1 and 2.

** The report transmitted by the Secretary-General in the present note was received from the United Nations Industrial Development Organization on 25 August 2000.

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Industrial development cooperation: implementation of General Assembly resolution 53/177

Report submitted by the Director-General of the United Nations Industrial Development Organization

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I. Introduction: the industrialization context

1. Manufacturing activity in developing countries and economies in transition will not expand, nor will Africa's industries revive, without at least some initiatives stretching beyond those normally associated with economic adjustment and stabilization. Until relatively recently, Governments and the donor community, including international agencies, paid relatively little attention to competitiveness. Economic policy makers saw the concept largely in terms of relative wage levels, inflation and exchange rates.

2. That situation has now changed. While, ultimately, competitiveness arises at enterprise level, the role of the government — and of industrial policy — cannot be emphasized enough. Inadequate skills, outdated technology, poor infrastructure and poor governance constrain social as well as industrial development.

3. All four elements of the "competitiveness mix" are dependent, in varying degrees, on the State. If a Government fails to maintain law and order, guarantee the security of the individual and of investment, protect intellectual property rights and provide an efficient infrastructure, adequate training, education and health systems, then competitiveness will never meet the global challenge.

4. Global dialogue on social development is increasingly being focused on the marginalization of countries failing to keep pace with competitive pressures for efficiency gains and on those that fail to share in the benefits of enhanced growth. Fighting marginalization and social inequality through sustainable industrial development entails the enhanced role of industry in socio-economic transformation. The contribution of industry to social development should be viewed in the wider context of linkages between industry and agriculture and industry and related services, as well as in the spin-off effects that enhance sectoral performance and social welfare. In the totality of these interlinkages, industry serves as a powerful source of employment-generation, income-creation and social integration.

5. The increasing share of developing countries as a group in global manufacturing value-added eclipses the fact that industrialization in the developing world remains uneven owing to the highly concentrated efficiency gains in a few countries in each region. Differences in industrial growth range from double-digit rates in a few countries to subdued or negative growth rates in many others. There are indications of further marginalization of latecomers in the sphere of industrialization in general, and a large number of African countries in particular, as well as a result of inequalities between countries and regions. The challenge at the beginning of the twenty-first century is to create an environment that avoids marginalization among countries and spreads the benefits of growth among people.

6. The main challenges of achieving an enabling policy environment relate to macroeconomic instability and structural constraints at meso- and microlevels. Industrial restructuring, privatization and private sector development represent key policy concerns. A supportive legal and regulatory framework coupled with the requisite physical infrastructure and institutional support facilities constitutes the key elements of a third generation of reforms to foster industrial competitiveness in international markets with emphasis on addressing social concerns.

7. Poverty alleviation through economic growth, employment and expansion of the economic sectors will not be automatically resolved by market forces and globalization alone. The promotion of certain patterns of industrial development is crucial for socially oriented development. A strategy focusing on micro- and small- and medium-scale enterprises, agro-industries, rural industrialization and regional industrial development with production and marketing networks in the value chain plays an important role in offering equality of opportunities to different segments of the population.

Response of the United Nations Industrial Development Organization (UNIDO)

8. The United Nations Industrial Development Organization (UNIDO) is supporting developing countries and economies in transition in adopting a third generation of reforms designed to achieve competitiveness and a place in global markets. These reforms are also designed to ensure that the new entrants to world markets encounter the human aspect of globalization and not its darker side, where wages

are driven ever lower, working hours become ever longer, human respect becomes ever scarcer and the social and economic fruits of globalization are enjoyed only by a few.

9. UNIDO's technical assistance programmes and global forum activities are set out to give people in member countries the education, training, information and knowledge no market forces will automatically create.

10. In order to better respond to the needs of the developing countries, UNIDO started a major reform exercise at the beginning of 1998. Having set initial priorities to ensure financial and administrative stabilization and a more streamlined organizational structure, UNIDO proceeded to revamp its services and activities.

11. The year 1998 ended with the successful launching of integrated technical cooperation programmes based on 16 service modules that had been articulated in interaction with experts from member States, the private sector and distinguished figures from the academic world. The enthusiastic approval and support of member States for these programmes and other aspects of UNIDO's transformation were expressed in unambiguous terms at sessions of the governing bodies.

12. During 1999 and early 2000, the organization concentrated on adjusting and refining the programming and implementation methods and on introducing quality control for its programmes and activities. UNIDO decentralized and delegated authority to intermediate management and to field offices. It also consolidated a matrix working structure designed to provide verifiable quality services in an integrated fashion.

13. The reform allows UNIDO to deliver integrated technical cooperation support according to the requirements of each region. Teams design and implement integrated programmes to ensure that the broad range of UNIDO's expertise is mobilized and coordinated for maximum impact in the field. The reality and depth of the transformation can be seen most clearly in the radical change in the composition of the organization's portfolio of programmes.

14. By the end of 1999, UNIDO had 29 approved integrated programmes around specific cooperation requests and by June 2000, 42 that are in the initial phase of implementation. Their total value is approximately US$ 280 million and they cover time periods of three to four years.

15. Nevertheless, in order to continue the implementation of reforms, UNIDO will require more resources in the form of voluntary contributions in the future. It will also need more political participation from its member States.

16. Towards that end, UNIDO organized a Forum on Sustainable Industrial Development within the framework of the eighth session of the UNIDO General Conference. The organization continues devoting time to analysing the substantive issues that constitute the leitmotif of UNIDO's mandate: industry, the growth process and industrial development, and the potential contributions of this process to the reduction and elimination of poverty and thus the promotion of equity.

17. UNIDO continues efforts to renew the interest of member States in the ongoing and increasingly relevant social development contribution of sustainable industrial development — the business of UNIDO.

18. The organization has an important role to fulfil in the new architecture of the international economic system. The revitalization of UNIDO offers the opportunity of working together to defeat poverty, inequality and backwardness.

II. UNIDO's industrial development cooperation activities

19. UNIDO continues to work on two different levels. First, it designs industrial development programmes for its clients and offers them technical support in putting them in place. Second, it provides the various actors involved in industrial development — Governments, representatives of industry from the public and private sectors, investors and others — with a platform for getting together to tackle some of the challenges facing developing countries. The present section describes in broad terms some of the activities carried out by UNIDO in this dual role and touches on the enhanced development support provided by the organization's expanded presence in the field.

20. The system of integrated programmes offers a series of interlinked activities within a given country

that draws on the cumulative expertise and resources of the organization as a whole rather than on individual organizational units. UNIDO designs one tailor-made programme for each country that is a reflection of its development priorities and aspirations.

21. To develop a programme for each targeted country, a team is established comprising from 6 to 10 specialists in industry, technology, investment, environmental issues and information. Since assistance to Africa is one of UNIDO's priorities, the initial batch of integrated programmes to be developed was for selected African countries. UNIDO attaches particular importance to the integration of women in industry and assistance to entrepreneurship development among women, which are featured prominently in almost all integrated programmes.

22. UNIDO cooperates with the United Nations Development Programme (UNDP) and other United Nations specialized organizations to ensure that the programmes complement their technical cooperation projects, that UNIDO's assistance fits into the United Nations Development Assistance Framework (UNDAF)/common country assessments (CCAs) and, lastly, that complementarities lead to sustainable human development.

23. At the end of June 2000, UNIDO's new system of integrated programmes had just completed one and a half years of operation. At this early stage, it is premature to assess conclusively the wide-scale impact of the integrated programmes on the lives of men, women and children in client countries. Impact is, without doubt, an eloquent measure of success, but it is not the only evidence of results. Nevertheless, the solid groundwork has been laid and the tools and methodologies that have been put in place will ensure the future success of the programmes and the sustainable industrial development of the countries that own them. The new approach has resulted in a perceptible improvement in the way the organization coordinates with client and donor countries as well as with other agencies. This in turn has been reflected in a heightened interest on the part of donors.

III. UNIDO field offices

24. A number of measures were introduced to assign greater responsibility to field staff as part of the organization's transformation, and in 1999, UNIDO began its gradual progression from a predominantly headquarters-type organization with a field component, to a field organization with its headquarters in Vienna. The 44 per cent increase in resources allocated in the current biennium budget to the field programme demonstrates the importance attached by member States to activities in the field.

25. By the end of 1999, there were 23 country offices headed by UNIDO representatives, the vast majority of whom had previously held positions at headquarters. During the year 2000, five regional centres were established (Egypt, Ethiopia, Thailand, Uruguay and India) and an additional four country offices will have been converted into regional centres by the end of 2000. The regional offices are headed by a director and assisted by two technical officers, who carry out programmatic and analytical work. In a number of countries where there was no UNIDO representative, the organization established national focal points. In a few other countries where there was no UNIDO presence, arrangements were made with UNDP to place a UNIDO officer in the local UNDP country office.

26. The main role of the field offices is to promote and support technical assistance in order to encourage national capacity-building for industrial development at the level of government, the public sector, industrial associations and enterprises. This in turn encourages local ownership of our integrated programmes.

IV. The global forum function of UNIDO

27. In addition to carrying out its role as a provider of integrated technical cooperation services in the field of industry, UNIDO continues to act as a global forum for the acquisition and dissemination of knowledge related to the industrial development process. The Business Plan, approved by member States in 1997, sees the global forum function as an important component of UNIDO's mandate to strengthen industrial capacities in developing countries and countries with economies in transition. Within the framework of the global forum function, the organization implements programmes in the following fields: industrial policy advice based on action-oriented research; institutional capacity-building at the country and sectoral levels; quality, standardization and metrology; industrial information

through networking, including information on the transfer of technology; and industrial statistics.

28. On the basis of these programmes, UNIDO is undertaking a wide range of activities, beyond the confines of specific technical cooperation projects, to support and promote industrial development. In particular, these activities include initiatives to understand the dynamics of the industrial development process and disseminate lessons learned through specialized meetings and publications covering a diversity of industry-related issues. In the course of these activities, UNIDO promotes partnerships and supports global industrial cooperation between developed and developing countries as well as among developing countries themselves. In so doing, UNIDO acts as an honest broker to facilitate the spread of industrial information, knowledge, technology and investment.

V. Meetings

29. UNIDO has organized a wide variety of seminars, workshops and expert group meetings and encourages its staff members to participate in meetings organized by other relevant agencies, institutions and organizations. During 1999 alone, nearly 100 meetings of this kind were held by UNIDO. These ranged in scope from highly specialized discussions on closely circumscribed topics between small groups of experts to large conferences covering a broad spectrum of issues.

30. Particularly noteworthy in the latter category were two regional forums on industry held in Bangkok and Cairo in September and November 1999, respectively. Participants included high-ranking government officials and diplomats, influential business leaders, eminent academics, senior staff members of a number of international organizations and representatives of several civil society organizations. The Asia-Pacific Regional Forum addressed such important and topical issues as the implications of the Asian crisis for industry and industrial policy in Asia and the Pacific; the reforms and strategies to promote small and medium-sized enterprise (SME) development as a means of enhancing industrial competitiveness; and the need for strategic industrial policies for the new millennium. Similarly, the Arab Regional Forum covered pressing issues such as the requirement of adopting new technologies and industrial policies to link Arab regional markets with the industrialized world; improving labour productivity and the quality of industrial production in the Arab world; and developing job-creation strategies for the Arab countries based on the promotion of SMEs.

31. These regional meetings culminated in a global forum on sustainable industrial development held in Vienna from 29 November to 1 December 1999 on the occasion of the eighth session of the UNIDO General Conference. The forum was the first of its kind held during a meeting of a policy-making organ.

32. The four substantive sessions of the forum dealt with a number of fundamental issues related to industrial development. The first panel described the continued importance of industry for economic development, the factors affecting the location of industry and the important contribution of foreign direct investment (FDI) and skill upgrading to technology transfer and industrial development. The second panel provided policy-related advice on how to enhance national industrial competitiveness by promoting the integration of domestic enterprises into global value chains and attracting foreign investment. The third panel discussed the implications of industrial development for the environment and energy use and concluded that government policies towards the environment should be aimed at promoting industrial opportunities in the environmental field rather than seeking to restrain industrial growth. Finally, the fourth panel provided an overview of a specific UNIDO programme to encourage a partnership between government, national SMEs, a transnational corporation, industrial associations, academic institutions and an international civil society organization.

33. UNIDO concluded from the forum that both the first generation of economic reforms, which are related to the need to introduce sound macroeconomic systems, and the second generation of reforms, based on the strengthening of institutional capacities, are extremely necessary if developing countries are to cope with the challenges of globalization. At the same time, however, the forum showed that the time had come for a third generation of reforms aimed at helping to connect the population of developing countries and the world at large with the process of globalization. This new challenge would need the mobilization of information, skills, technology and knowledge to enable the industries of developing countries and

countries with economies in transition to become integrated into global value chains and to thereby benefit from the process of globalization rather than be marginalized by it.

34. Specifically, the forum underlined the continued importance of industry for development. It also pointed out that industrial development itself might require some special support measures. These could include the promotion and establishment of "soft infrastructure" needed to help countries to cope with the information flow necessary to integrate themselves into international suppliers' networks.

VI. UNIDO as partner in development

35. UNIDO's new integrated approach to sustainable industrial development has held the attention of the organization's donor and client countries. While many of UNIDO's resources have naturally been directed at the formulation and implementation of the integrated programmes, UNIDO has continued its efforts to strengthen the other half of its dual role — that of serving as a global forum on industrial development.

36. One endeavour is to use UNIDO's limited resources as a lever to forge partnerships with universities, research institutions and other civil society organizations. This will help UNIDO to acquire a stronger analytical base and at the same time encourage greater international cooperation in the area of industrial development in developing countries. It will also enhance the normative capabilities of UNIDO — an imperative in the context of both United Nations reform and today's global economy.

37. One such partnership is with Oxford University. On 6 October 1999, UNIDO and Oxford signed a two-year agreement for research on African economic performance under a joint research programme to be funded by UNIDO. This is the first agreement of its kind between UNIDO and a university in the United Kingdom of Great Britain and Northern Ireland and includes funding for a two-year UNIDO research fellowship at the University's Centre for the Study of African Economies (CSAE) within the Institute of Economics and Statistics. Under the terms of the agreement, UNIDO and the University will "enter into a programme of cooperative research ... with the aim of enhancing and disseminating knowledge and skills that foster Africa's improved economic performance, particularly through the promotion of sustainable industrial development".

38. The research programme is a direct response to the mandate given to UNIDO in its Business Plan to focus its activities on least developed countries, particularly those in Africa. There will be a special training programme for African civil servants aiming at capacity-building among African policy makers, especially in those countries where UNIDO has initiated, or will initiate, an integrated programme.

39. One of the most difficult hurdles facing developing countries in their efforts to increase exports is raising product quality to meet international standards. The gap in standards is the reason for the extensive use of non-tariff barriers which frequently prevent market access by the developing world. To address this constraint, UNIDO has also embarked on a public/private partnership programme seeking to develop a viable new approach towards capacity-building for SMEs and to do so jointly with major players in the business world who have an interest in strengthening their supply chains.

VII. Publications

40. In order to ensure the widest possible dissemination of lessons learned from its seminars, workshops, conferences and expert group meetings, UNIDO pursues an active publications programme. These publications include not only papers presented at meetings and/or summaries of their proceedings but also a wide range of other books, reports, working papers and brochures.

41. There are currently over 21,000 fully indexed Industrial Development Abstracts (IDA) covering the full range of UNIDO's activities. UNIDO's Industrial Inquiry Service provides answers to specific inquiries from developing countries on a range of topics related to industry. The information is available through UNIDO's International Referral System (IRS), a network of specialized information services that enables searches by field of industry, type of activities, language and form of replies. The system has been developed over the last six years to respond to a growing number of technical inquiries in a rapidly changing and competitive environment. Acting as an honest broker, UNIDO uses IRS to search for the most

judicious choice of technologies, manufacturing and equipment alternatives for its clients.

42. A recent highlight was the launch of a new UNIDO publication, entitled *African Industry 2000: The Challenge of Going Global*.[1] The publication has contributed to the understanding of the threats and opportunities facing sub-Saharan Africa at the turn of the century. Its analysis and examination of emerging issues have helped to provide an understanding of how the continent's share of the gains from globalization needs to be achieved in the years to come.

43. The increasing role of information and knowledge as a foundation for industrial growth and competitiveness has sharpened UNIDO's focus on collection and analysis of industrial information, knowledge products derived from this process and approaches to widespread dissemination of this information. The organization has sharpened its activities in delivering such knowledge to client countries and is assisting them in improving their own capacity to collect, process and provide information as knowledge products.

44. To support technical cooperation, an innovative approach was introduced using plant-level data to analyse the dynamics of SMEs. In response to a decision on the International Standard Industrial Classification of All Economic Activities (ISIC),[2] a new classification of industrial activities was adopted.

45. The UNIDO web site was redesigned to include the newest technological developments and to improve navigation and user-friendliness. While the web site is used primarily to disseminate information, it is increasingly important for external users interested in identifying new business partners.

46. UNIDO assists Governments in improving their industrial governance operations by establishing information support networks. It also engages in the establishment of commercial information centres to support SMEs information needs. Networking has been introduced in virtually all integrated programmes and has proved to be of considerable help in synergizing the activities of the various service modules within the programme implementation.

VIII. UNIDO's services

47. An important component of the transformation of UNIDO was the grouping of services into 16 service modules, reflecting the UNIDO approach in dealing with major concerns in industrial development. The refocusing aligned the programmatic focus of activities with the organization's long-term goal of sustainable industrial development — the so-called three Es: competitive Economy, productive Employment and sound Environment. To varying degrees, the integrated programmes developed and initiated in 1999 combine these service modules to meet the initial industrial development requirements of countries assisted by UNIDO. For a comprehensive description of the service modules and a list of the integrated programmes, the UNIDO web site may be consulted (www.unido.org). The service modules are as follows:

1. Industrial policy formulation and implementation;
2. Statistics and information networks;
3. Metrology, standardization, certification and accreditation;
4. Continuous improvement and quality management;
5. Investment and technology promotion;
6. Environmental policy framework;
7. Climate conventions and Kyoto Protocol;
8. ,9. Energy efficiency and rural energy development;
10. Cleaner production;
11. Pollution control and waste management;
12. Montreal Protocol;
13. SME policy framework;
14. Policy for women's entrepreneurship development;
15. Entrepreneurship development;
16. Upgrading agro-industries and related technical skills.

IX. Focus on Africa and the least developed countries

48. The economies of least developed countries — particularly those in sub-Saharan Africa — face serious challenges in the process of globalization, and the ongoing economic reforms have not yielded the expected levels of economic growth, investment and poverty reduction. Efforts to introduce economic reforms have been hampered by limited technical capacity in the public and private sectors to formulate and implement the requisite policies and strategies. Other key constraints on economic transformation and industrial expansion include:

- Weak economic governance;
- Lack of industrial response to stabilization measures;
- Weak institutional and physical infrastructure;
- Small domestic markets and limited access to regional and global markets;
- Slow pace of regional integration;
- Absence of a critical mass of competitive medium-sized enterprises and entrepreneurs.

49. In the light of these constraints, UNIDO integrated programme assistance to Africa and least developed countries emphasizes institutional capacity-building for the enhancement of industrial competitiveness and private sector development. The basic philosophy is to give key stakeholders in industrial subsectors the basic tools to determine their own industrial development needs and priorities and to assist them in defining and establishing their own comprehensive medium- and long-term industrial development agenda.

X. System-wide cooperation

50. To varying degrees, cooperation with other organizations — both within the United Nations system and elsewhere — is an integral part of virtually every UNIDO activity. At its most formal level, collaboration can be the very essence of a programme, for example, in funding a UNIDO development activity by a multilateral funding institution. At the opposite end of the spectrum, it can take the form of an ongoing relationship with ad hoc in-kind contributions to or from the partner organization. The experience of 1999 typically demonstrated activities ranging from meetings and publications to joint technical cooperation programmes. Significant results were yielded in a number of cases. Increasingly, UNIDO inputs are requested based on demonstrated sectoral specialization, as has been the case for cooperation with UNDP in the formulation and implementation of Global Environment Facility (GEF)-financed projects.

51. UNIDO's integrated programmes and field-level emphasis have endowed the Organization with highly appropriate means to contribute to the UNDAF process, which is a direct response to the Secretary-General's reform programme and a key mechanism in developing a common system framework. UNIDO representatives serve as country-level focal points for the UNDAF exercise and as members of United Nations country teams. They also participate fully in United Nations country-level meetings in the development of various system-wide approaches and play a critical role in the preparation of CCAs. UNIDO has provided substantial inputs into the finalization of draft CCAs and the UNDAF guidelines. During the process of development of its integrated programmes, UNIDO ensures coherence and integration with UNDAF and the United Nations System-wide Special Initiative for the Implementation of the United Nations New Agenda for the Development of Africa in the 1990s exercises. In 1999, UNIDO was engaged in the UNDAF process at the country level where no integrated programmes had yet been developed.

52. The following examples from 1999 provide an indication of the range and form of UNIDO's cooperation with other organizations:

- Cooperation with the Common Fund for Commodities can be illustrated by the approval of a new project on jute for Bangladesh;
- UNIDO's contributions to the work of the Committee for Donor Agencies for Small Enterprise Development included preparing two papers setting out the UNIDO approach to creating business centres;
- Based on UNIDO's expertise in quality, standardization and metrology, the European Commission enlisted UNIDO's assistance in preparing a technical cooperation programme for the West African Economic and Monetary Union countries;

- UNIDO's participation in GEF climate change programmes increased. The adoption of a resolution on the subject by the UNIDO General Conference underscored the importance of GEF for technical cooperation in industrial development as well as the comparative advantages of UNIDO for GEF;

- In addition to cooperation with the National Oceanic and Atmospheric Administration of the United States Department of Commerce, cooperation has been developed with the Centre for Coastal and Marine Sciences within the Natural Environment Research Council, Office of Science and Technology, and the United Kingdom's Department of Trade and Industry;

- A presentation at UNIDO by the President of the Inter-American Development Bank offered a historical overview of the development process in Latin America, and its current achievements, shortcomings and future plans;

- With the objective of developing and promoting industrial utilization of agro-wastes through radiation and biotechnology, cooperation with the International Atomic Energy Agency (IAEA) included inputs to a regional expert advisory group meeting at the Malaysian Institute for Nuclear Technology Research;

- In tandem with the International Centre for Science and High Technology, a significant technology foresight initiative was launched for Latin America and the Caribbean;

- An initiative with the International Fund for Agricultural Development to assist rural women in food-processing activities led to the preparation of the joint manual *Multi-purpose Village Workshop: Guidelines for Implementation*;

- UNIDO became a member of the group Standards Actions in the Global Market Forum, launched by the International Organization for Standardization (ISO) in 1999, comprising 11 international organizations representing the private and governmental sectors with an interest in standardization. This culminated in an initial five-year cooperation with the Japanese Standards Association to create more widespread awareness of the concept and application of total quality management among Association of Southeast Asian Nations (ASEAN) countries;

- The publication of the UNIDO/Organisation for Economic Cooperation and Development (OECD) study *Entrepreneurship and Enterprise Development in Transition Economies: Policy Guidelines and Recommendations*[3] was the result of a long-term collaboration on policy guidelines and recommendations established by the Forum on Entrepreneurship and Enterprise Development. A further joint activity resulted in the development of a computerized system for environmental impact assessment in biotechnology (biosafety);

- The inter-agency programme on capacity-building support for clean development mechanisms features cooperation with UNDP, the United Nations Environment Programme (UNEP) and the United Nations Conference on Trade and Development (UNCTAD) as well as the United Nations Framework Convention on Climate Change as overall coordinator and facilitator;

- The All-India Seminar on Bamboo Development was the first step of an initiative for the Government of India Bamboo Development Plan. The seminar featured technical and coordination support from UNDP, the Food and Agriculture Organization of the United Nations (FAO) and the International Network for Bamboo and Rattan;

- UNIDO participated in an UNCTAD team of experts for the preparation of an investment and innovation policy review for Ethiopia. Cooperation on enterprise development programmes in selected countries was initiated. A joint regional seminar on enhancing the participation of women entrepreneurs in African economic activities was held in Burkina Faso;

- Implementation of the 1998 Memorandum of Understanding with UNEP was initiated in 1999 through signature of three technical annexes: two on coordination of the joint programme for national cleaner production centres and the third on cleaner technologies in artisanal gold mining;

- An internal exercise in investment and technology promotion aiming to create a new working culture and to adapt staff skills to rapidly evolving external realities benefited from a session held in

cooperation with the World Intellectual Property Organization (WIPO) on quality control and electronic commerce;

- Discussions initiated with the World Trade Organization on the joint development of trade-related activities for least developed countries resulted in an October meeting between the executive heads of the two organizations.

53. UNIDO demonstrated South-to-South technology transfer when it organized a meeting of more than 70 managers of research and development institutes, entrepreneurs and policy makers from nine African countries and India. The aim of the meeting was to forge partnerships for the production of alternative materials for low-cost housing. By the end of the event, organized under the auspices of the International Centre for Advancement of Manufacturing Technology, participants had signed some 45 contracts and five memoranda of understanding and initiated discussions on the purchase of licences for equipment production.

Notes

[1] Vienna, UNIDO, 1999.

[2] *Statistical Papers, No. 4, Rev. 3* (United Nations publication, Sales No. E.90.XVII.11).

[3] Paris, OECD, 1999.

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Environment and sustainable development

International institutional arrangements related to environment and sustainable development

Report of the Secretary-General**

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* A/55/251.

** The present report was delayed in its submission owing to the need for extensive consultations between convention secretariats, the United Nations Environment Programme and the Secretariat, and so as to include information on recent meetings of relevance to this matter.

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I. Introduction

1. In its Programme for the Further Implementation of Agenda 21, adopted at its nineteenth special session in 1997,[1] the General Assembly stressed that, given the increasing number of decision-making bodies concerned with various aspects of sustainable development, including international environmental and environment-related conventions, there was need for improved policy coordination at the intergovernmental level and for continued and more concerted efforts to enhance collaboration among the secretariats of those decision-making bodies. The Assembly further recommended that the conference of the parties to the conventions signed at the United Nations Conference on Environment and Development (UNCED) or as a result of it and to other conventions related to sustainable development should cooperate to explore ways and means of collaborating in their work to advance the effective implementation of the conventions. The present report considers cooperation in implementation of the United Nations Framework Convention on Climate Change (UNFCCC), the United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa (UNCCD), the Convention on Biological Diversity (CBD) and a number of other environment-related conventions.

2. The comprehensive and effective implementation of conventions and their various protocols depends, to a large extent, on sound cooperation among organizations in the various fields of actions. Thus, the development of complementarities among conventions and other entities is central to the activities of the convention secretariats. In this regard, significant progress has taken place since 1997, as reflected in two previous reports of the Secretary-General, to the fifty-third and fifty-fourth sessions of the General Assembly (A/53/477 and A/54/468). In his report to the fifty-third session, the Secretary-General referred to the ways and means of undertaking the review of progress made in implementing conventions related to sustainable development. The report addressed the issue of coherence among environmental and environment-related conventions at both the inter-agency and intergovernmental level and proposed elements of an intergovernmental process that the Assembly might take into consideration in determining how such a review could be carried out.

3. In its resolution 53/186, the Assembly took note of the report and requested the Secretary-General to identify actions undertaken to implement part IV.A, in particular paragraph 119, of the Programme for the Further Implementation of Agenda 21, as well as the areas requiring further consideration and work. In his report to the fifty-fourth session, the Secretary-General highlighted the growing recognition within the United Nations system of the linkages between various environmental areas and the significant collaborative work already undertaken by the convention secretariats in response to the need for policy coherence. The report provided an overview of the progress made in understanding ecological linkages and in the responses by the United Nations system and at the intergovernmental level which have given further guidance to enhancing coordination between the environmental and environment-related conventions.

4. At its fifty-fourth session, the General Assembly, in resolution 54/217, took note with appreciation of the report of the Secretary-General (A/54/468) and the progress made in the implementation of its resolution 53/186. The Assembly, in paragraph 5 of resolution 54/217, encouraged the secretariats of the various environmental and environment-related conventions and international organizations, with full respect for the status of the secretariats of the conventions and the autonomous decision-making prerogatives of the conferences of the parties to the conventions concerned, to strengthen cooperation with a view to facilitating progress in the implementation of those conventions at the international, regional and national levels by:

(a) Identifying opportunities for complementarity of activities undertaken to facilitate the implementation of commitments made by the parties to the various conventions;

(b) Encouraging the carrying out of further scientific analyses by relevant international organizations, such as the United Nations Environment Programme, the secretariats of the conventions, their subsidiary bodies, the United Nations Secretariat and relevant international scientific bodies, in order to identify possible activities with potential multiple benefits and to bring them to the attention of the conferences of the parties;

(c) Promoting more effective and coherent support from international organizations and financial

institutions and mechanisms for national action aimed at the implementation of the conventions, in particular in the area of capacity-building;

(d) Addressing practical issues, such as more effective exchange of information, enhanced awareness-raising and streamlining of national reporting;

(e) Supporting, upon request, efforts being made at the national level towards adopting an integrated and holistic approach to the implementation of environmental and environment-related conventions;

(f) Bringing relevant issues to the attention of the General Assembly and relevant intergovernmental bodies for the consideration of Member States and the formulation of agreed policy recommendations, with a view to promoting a more holistic approach.

5. In response to the recommendations of the Assembly, the present report provides an overview of recent actions taken by the convention secretariats and relevant organizations to maximize benefits from complementarities in the implementation of the conventions related to environment and sustainable development. The report does not list exhaustively the activities and coordination efforts between and among the various convention secretariats and organizations but seeks to highlight the translation of potential synergies into concrete actions and more efficient ways to achieve the objectives of the conventions and sustainable development, especially at the national and local levels. The report demonstrates that coordinated implementation of the environmental conventions is essential at the local level, where it is possible to make a significant difference and where tangible benefits are not only easily achievable but also demonstrable.

6. Also, pursuant to paragraph 5 (f) of resolution 54/217, the present report brings to the attention of the Assembly the emerging issues of common concern for global and regional agreements, such as the critical cross-cutting issue of trade and environment, including the interface between, and implications of, trade regimes and negotiations in the context of the efficient and effective implementation of multilateral environmental agreements. The report aims at providing the Assembly with a greater understanding and awareness of the complex trade and environment interlinkages on which fair and environmentally sustainable policies and trade flows are built.

II. Maximizing benefits from complementarities in the implementation of the conventions

7. In his report on international institutional arrangements related to environment and development (A/54/468), the Secretary-General highlighted the scientific and conceptual approaches to interlinkages between environmental and environment-related conventions. The report outlined that the global environmental challenges — namely, loss of biological diversity, climate change, ozone depletion, desertification, deforestation, regional seas, freshwater, persistent organic pollutants, and hazardous wastes — are closely interlinked through a complex series of physical, chemical and biological processes. The UNEP Global Environmental Outlook 2000 (GEO-2000) report concluded that these processes are also connected by the same driving forces: rising consumption, persistent poverty, population growth, and the use of unsustainable technologies.

8. Policy makers and experts increasingly emphasize the need for integrated responses to these issues and greater awareness and understanding of the linkages between measures adopted under the individual conventions. Policies adopted in response to one issue may support — or in certain instances — undermine those adopted in response to another.

9. With a greater understanding of the linkages, policies, programmes and projects are increasingly focusing on the close interrelation between environmental challenges. Activities range from international research with global orientation to local community-based projects. The need to address these phenomena in an interrelated manner in the implementation process of the three conventions (UNFCCC, UNCCD, CBD) has been recognized and has led, for example, in the context of the Global Environment Facility (GEF), to multifocal projects.

10. The rationale to promote and enhance synergies among the three conventions includes the following facts:

(a) They share the sustainable development approach, embodied in the UNCED process, as articulated in Agenda 21,[2] and the basic principles enshrined in the Rio Declaration on Environment and Development;[3]

(b) Th ... subjects — biological diversity, climate change and desertification — are intimately related on ecological, socio-economic and institutional grounds. Several of the policies and measures suggested for achieving the objectives of one convention may also contribute to objectives of the others;

(c) Often national decision makers and policy makers responsible for the implementation of the three conventions belong to the same governmental ministry or to ministries dealing with closely related portfolios;

(d) Their flexible secretariat arrangements allow for a rapid and effective team effort upon which to build a long-term process.

11. Synergistic initiatives that take advantage of and build upon links among the environment-related conventions and that add value to their individual implementation processes could also become instrumental in gradually developing partnerships, common approaches and greater collaboration among other international instruments dealing with subjects relevant to sustainable development. Such a process could take into account the following issues:

(a) The process should be country-driven, with the clear goal of assisting countries in their efforts to pursue sustainable development policies, such as sustainable dryland management, and facilitating the further exploration of relevant linkages between conventions by governmental agencies;

(b) The need to further explore the suggestion made in 1998 by the African Ministerial Conference on Environment Special Consultation on the UNFCCC and its Kyoto Protocol that synergistic effects among the environment-related conventions could be maximized through the adoption of subregional and regional projects and programmes.

12. While there is great potential for enhancing effective cooperation between the conventions related to environment and sustainable development, there are capacity constraints, particularly in developing countries, hindering the ability to reap benefits from synergies. Most convention-related activities, in particular those of a multidisciplinary nature, are relatively new to most countries. The required collaboration among agencies and ministries remains a challenge, especially in cases where institutional and human resources are scarce. In addition, all of the conventions are of quite recent origin, with a limited number of examples or models to build upon. Therefore, further priority should be accorded by the secretariats of the different conventions to promoting synergies in policy-making as a prerequisite for developing coordinated approaches at the field level.

13. One first and promising step towards such an integrated approach has been made in the management of information received from parties as a result of their commitments under environmental conventions. An electronic "synergy forum" has been established to improve and facilitate the interaction and exchange of information among the three convention secretariats. The synergy forum has the potential to evolve and expand in order to bring together other organizations. A joint web page has also been created, which, it is hoped, will be the basis of a joint identity. The relevant information units in the secretariats have developed close working links and meet on a regular basis.

14. Since 1982 UNEP activities in environmental law have been organized and coordinated through two sequential Montevideo Programmes for the Development and Periodic Review of Environmental Law. In 1999, by its decision 20/3, the UNEP Governing Council requested the UNEP Executive Director to undertake a process for the preparation of a new programme for the development and periodic review of environmental law, in consultation with Governments and relevant organizations.

15. In an effort to identify priorities and provide a timely opportunity to contribute to the promotion of synergies, UNEP has started the third review of the Montevideo Programme for the Development and Periodic Review of Environmental Law (Montevideo Programme III). The overall objective of the review is to increase the effectiveness of environmental law in helping to protect and preserve the global environment and promote sustainable development.

16. The Montevideo Programme III is based on an approach that relies on the contributions and perspectives of different disciplines and techniques. Implementation of the Programme should take into account driving forces of environmental change, such as poverty, globalization and trade liberalization.

17. Such an approach will enable UNEP to address environmental issues within a framework that takes advantage of linkages between scientific, economic and other policy perspectives in developing legal and

institutional responses under the respective component of the Programme. It will also assist UNEP in its efforts to increase the integration of the environmental dimension of sustainable development into the programmes of the United Nations system and to make the most effective use of contributions from organizations, institutions and groups outside the United Nations, which can act as partners in the task of developing and implementing environmental law.

18. The proposed components of the Montevideo Programme III identify priorities for action in the first decade of the twenty-first century. The UNEP Governing Council at its twenty-first session and the upcoming review of the implementation of Agenda 21, 10 years after its adoption, would provide an opportunity for concrete actions to be taken on a number of priority components, including those relating to implementation, capacity-building, the prevention and mitigation of environmental damage, and compensation and other redress for any such damage.

19. Also, in an effort to build bridges for environmental and environment-related conventions to achieve common goals, UNEP is bringing experts together to explore innovative ideas. In July 1999, UNEP convened the second meeting of Regional Seas Conventions and Action Plans in The Hague. One of the main objectives of the meeting was to strengthen the linkages that Regional Seas Conventions and Action Plans have with global conventions and agreements. Among numerous recommendations, the meeting proposed that collaboration between the Convention on International Trade and Endangered Species (CITES) and the Regional Seas Conventions and Action Plans be strengthened, especially in the case of those regional agreements that manage specially protected areas and wildlife protocols.

20. In October 1999, UNEP organized two expert meetings involving the secretariats and the scientific and technical subsidiary bodies of multilateral environmental agreements. The first, the Consultative Meeting on Collaboration among Multilateral Environmental Conventions, discussed how best to cooperate on issues of common interest. The participants agreed that the process started by the meeting could provide a basis for ongoing consultations, especially at an informal level.

21. The second meeting was called to assess the need, from a scientific and policy perspective, for a follow-up report to *Protecting Our Planet, Securing Our Future: Linkages between Global Environmental Issues and Human Needs*.[4] The meeting concluded that a second assessment would be useful if it were focused, led to practical outcomes, and complemented other ongoing assessment activities. There was strong support for regional assessments with both a development and an environmental focus. The need for methodological tools for implementing the resulting recommendations was stressed. It was observed that the activities under the second interlinkages assessment should be carried out as discrete components of the proposed Millennium Ecosystem Assessment, which would involve the United Nations family and other major international bodies and conventions.

22. The secretariat of the United Nations Convention to Combat Desertification (UNCCD), concerned that coordination and synergy are unlikely to result in benefits unless directed towards specific goals, favoured the exploration of options for taking advantage of potential synergy at the field and community levels, with a view to targeting a strategy for combating desertification in ways that would address the core areas of other conventions. UNCCD is implemented at the field level in such a way that it may complement the implementation of other conventions. This in turn facilitates the mobilization of support for the implementation of UNCCD. Thus, combating desertification is "synergized" by addressing the subject matters of other conventions.

23. Combating desertification can be effected in ways that also achieve the objectives of CBD, UNFCCC, the Ramsar Convention on Wetlands of International Importance, especially as Waterfowl Habitat, and the Forest Principles,[5] and provide an immediate tangible benefit to local populations. The envisaged strategy for combating desertification should not attempt to make drylands function as non-dryland ecosystems but, rather, should identify dryland attributes that can be harnessed to provide dryland inhabitants with an economic competitive advantage. The dryland curses of intense solar radiation, high temperatures, low-quality water, and desolation and wilderness can be turned into the blessings of solar energy, winter cash-crops, aquaculture and ecotourism, respectively. All these can be produced in drylands at lower economic and environmental costs than in non-drylands.

24. A proposed option to combat desertification should be matched with the ecological as well as the socio-economic environment for which that option is most likely to result in sustainability. Many such options constitute alternative livelihoods that relieve much of the pressure on the dryland soil and water resources. Thus, dryland populations can implement practices that not only combat desertification but also mitigate climate change and conserve biodiversity. They should be assisted in publicizing their activities and successes so as to encourage other beneficiaries to reward them for their contributions beyond the local desertification issues.

25. Though confined to countries with drylands, desertification has indirect but strong transboundary effects. Since desertification of the drylands is expected to be exacerbated by global climate change, it is beneficial for dryland populations to take action to reduce the threat to their land from climate change. By the same token, local desertification may contribute to global climate change and may harm biodiversity of both local and global significance. Hence it is in the interest of non-dryland countries to assist affected countries in their struggle against local desertification. The cost of combating desertification in pursuing the objectives of the CBD and the UNFCCC may be low compared to the global benefits of this synergy.

26. When an affected country links measures to combat desertification with measures to sequester carbon and conserve biodiversity, it reaps benefits for itself that should justify the invested costs. However, since these linkages can also benefit other countries, through averting direct and indirect detrimental cross-boundary effects and since, often, incremental costs have been invested, these measures could be supported by the benefiting countries, thus "synergizing" UNCCD implementation, pursuant to the new desertification-related policies of the GEF. The role played by the GEF and its implementing agencies — UNEP, the United Nations Development Programme and the World Bank — in the UNCCD, by virtue of operating the conventions' financial mechanisms, remains one of the most important examples of cooperation among conventions.

27. Both convention parties and secretariats should look for partners that would also benefit from efforts in support of a convention and that are already developing approaches which could contribute to a synergistic approach to field implementation. Concerted effort will be required to harmonize and integrate the work of these partners, so that the synergy in their work will facilitate field implementation, through the proposed framework of action plans for synergies.

III. Recent activities in intersecretariat cooperation

A. Desertification/biological diversity

28. Accelerated soil erosion and loss of biodiversity in dry and sub-humid areas negatively affects the socio-economic conditions of the affected populations. An integrated approach to reversing dryland degradation is required. Scientifically based assessments are necessary to quantify the impact of land degradation and loss of productivity of the dry and sub-humid lands and the associated loss of biodiversity. The people living in dry and sub-humid land areas depend on certain biological resources as a means of livelihood, and any threats to those resources tend to undermine the basis of their existence, as communities become more and more vulnerable to future incidences of drought.

29. It is imperative not only to encourage sustainable livelihood systems in these areas but also to develop alternative strategies. The effective implementation of both the CBD and UNCCD presents a challenge and an opportunity for those countries that are affected by drought and desertification, particularly in ensuring that available resources are used in an efficient manner, without duplication of effort.

30. In its decision IV/16, the Conference of the Parties of CBD decided that "dryland, Mediterranean, arid, semi-arid, grassland and savannah ecosystems" would be a subject for in-depth consideration at its fifth meeting. Accordingly, the CBD Subsidiary Body on Scientific, Technological and Technical Advise (SBSTTA), at its fourth session, examined the first version of the relevant document prepared by the secretariat. As a follow-up to that document, SBSTTA adopted decision IV/3, in which it requested the CBD secretariat to prepare, in collaboration with the secretariat of the UNCCD, a draft programme of work on dryland, Mediterranean, arid, semi-arid, grassland and savannah ecosystems.

31. During the period between the fourth and fifth sessions of SBSTTA, the UNCCD secretariat worked in

close cooperation with the secretariat of the CBD in the preparation of the draft programme of work, conveying its views to the liaison group set up for that purpose. This consultation process led to the elaboration of a document (UNEP/CBD/SBSTTA/5/9) containing the proposed programme of work. At its fifth session, SBSTTA adopted a decision in which it requested the Conference of the Parties to the CBD to adopt a programme of work on the thematic area, to be jointly developed by the CBD and UNCCD secretariats.

32. The UNCCD and the CBD secretariats jointly organized, during the fifth session of SBSTTA, a workshop/brainstorming session with delegations, to discuss their views on the joint work programme. Emphasis was placed on field-level coordination of activities for effective implementation of the programme. The national action plan frameworks were considered as important entry points for the success of country-level activities of the programme. Delegations expressed their wish to see the development of synergies at the local level and the elimination of duplication of effort among the various actors involved in implementation.

33. Within the joint work programme, the secretariats of CBD and UNCCD will support the strengthening and coordination of policies and instruments that will promote the development of synergistic and complementary approaches in the implementation of the environmental conventions at the country level, through, inter alia, demonstrable cases of convergence of objectives. The CBD and UNCCD will also support the development of policies that promote participatory decision-making practices and the best mix of scientific and traditional knowledge in the sustainable and multiple use of biodiversity of dry and sub-humid lands and in the diversification of means of production.

34. Finally, as agreed in the recent UNCCD/CBD Memorandum of Understanding, which provides one of the most recent examples of the utilization of complementarities, the secretariats have continued their consultations regarding the organization of a joint workshop to assist countries in identifying viable and efficient means for addressing issues of awareness-raising, public education, information requirements, training and implementation mechanisms jointly for the two conventions. Both secretariats share the view that the workshop should be designed as a national forum for debate and exchange of information on experience gained and progress achieved in the processes envisaged under the two conventions.

35. Accordingly, the UNCCD and CBD secretariats envisage the involvement of major national stakeholders in the proceedings of the workshop. Priority would be given to the ministries directly in charge of the implementation of each convention and their respective focal points; and an invitation would also be extended to other relevant public authorities with mandates in strategic fields associated with the implementation process of both conventions, such as training, information, and scientific research. Active participation of non-governmental organizations and the media is seen as indispensable.

B. Climate change/desertification

36. Trends of desertification have an impact on the global carbon reservoir and carbon sinks. In this sense, desertification contributes to global warming. It is predicted that an increase in global temperature of 1-2 degrees Celsius by 2030-2050 will result in climate variations in regions affected by desertification, causing higher evaporation, decreased soil moisture and increased land degradation in the Middle East and arid parts of Asia; increasing drought frequency in Africa; and increasing the vulnerability of arid and semi-arid lands to desertification. Thus, while global climate change is expected to exacerbate regional and local desertification processes, the causes and results of desertification, in turn, also contribute to global climate change, mainly through their effect on vegetation.

37. The secretariats of the UNCCD and UNFCCC have engaged in periodic consultations with a view to better defining areas with potential for immediate collaboration. Given the different natures of the two processes and the different degrees of their implementation, collaboration has focused on an exchange of information and joint participation in technical and scientific meetings. The CCD secretariat participated in the Workshop on Impacts of Climate Change, held in Bonn in 1999, where it made a presentation on the impact of climate change on countries in arid and semi-arid areas, forested areas and areas liable to forest decay, and areas liable to drought and desertification.

38. The UNFCCC contributed to various UNCCD documents, participated in meetings dealing, for example, with linkages between desertification and climate change, and participated in discussions in workshops on issues of common interest, such as articles 4.8 and 4.9 of the UNCCD.

39. The UNCCD secretariat also engaged in consultations with the UNFCCC, with a view to developing a memorandum of understanding that would identify priority areas of cooperation. Such areas might include joint activities at the national level, data and information management, training and national communications.

40. The UNCCD secretariat participated in the twelfth session of the UNFCCC Subsidiary Body for Scientific and Technological Advice (SBSTA) and the Subsidiary Body for Implementation (SBI), held in June 2000. Of particular relevance to the UNCCD were agenda items on land use, land use change, forestry, and items of discussion in the Kyoto Protocol which deal with the Clean Development Mechanism with respect to land degradation issues.

C. Biological diversity/climate change

41. The CBD and UNFCCC secretariats are making plans to cooperate with respect to forest biological diversity, particularly with respect to the potential impact of aforestation, reforestation, forest degradation and deforestation on forest biological diversity and on other ecosystems, especially in the context of the Kyoto Protocol. The CBD secretariat also intends to cooperate with the UNFCCC secretariat and other relevant organizations on coral bleaching, consistent with relevant decisions of the CBD at the fifth session of the Conference of the Parties.

42. In decisions adopted at that session, which took place from 16 to 26 May 2000 in Nairobi, the Conference requested strengthened cooperation and collaboration on various issues between the two conventions. The issues raised will be examined. UNFCCC also welcomes the initiative of biodiversity-related convention secretariats to strengthen the cooperation among them.

D. Biodiversity-related conventions

43. One environmental issue that calls for early coordination is the conservation and sustainable use of biological diversity. Consideration is being given, in dealing with this issue, to the need for a much higher degree of decentralization and the adoption of a more regional approach, with actions directed at achieving a higher degree of regional cooperation and regional policy coordination in the policy areas that are common to all biodiversity areas.

44. The secretariat of the Ramsar Convention on Wetlands has been taking vigourous steps to encourage its administrative authorities (national focal points) to build close working relationships with their counterparts for the other conventions at the national level. Follow-up assessment and tangible progress of these various relationships have shown that the initiatives have been beneficial to all parties concerned.

45. The secretariats of the Ramsar Convention and the CBD drafted a second joint work plan for the period 2000-2001, which was reviewed by the CBD's Subsidiary Body on Scientific, Technical and Technological Advice at its fifth session, in February 2000. The meeting endorsed the plan and supported a new format for national reports under the CBD, a format that should advance future efforts to harmonize national reporting. The CBD secretariat, together with the secretariats of the Ramsar Convention, CITES, the Convention on Migratory Species (CMS) and the World Heritage Convention, commissioned the UNEP/World Conservation Monitoring Centre to undertake a feasibility study for a harmonized information management infrastructure for biodiversity-related treaties. The feasibility study proposed a series of steps to be taken by the secretariats of the conventions to investigate options for harmonizing reporting procedures under the five conventions.

46. The Ramsar Bureau will be working with the UNFCCC secretariat to prepare an official document for submission to SBSTTA and to UNFCCC Conference of the Parties at its sixth session, to be held in The Hague in November 2000. The Ramsar secretariat has also been active in the UNCCD process, looking to identify potential synergies and define viable fields for long-term joint cooperation. At present, the UNCCD and the Ramsar secretariats are reviewing existing possibilities for developing, through

Ramsar's ongoing programme of work, activities that could be developed within the framework of the territorial platform offered by the UNCCD's national action plans and conceived as local area development programmes.

47. The CITES secretariat continues its efforts not only to increase cooperation with the other biodiversity-related conventions but also to enhance mutual understanding and cooperation with the Convention's "technical partners". These partners include the UNEP Conservation Monitoring Centre, the World Conservation Union (IUCN) and the Wildlife Trade Monitoring Programme of the World Wildlife Fund (WWF/TRAFFIC). CITES aims at increasing coordination in the following key areas: capacity-building, training, awareness-raising, fundraising and regionalization.

IV. Trade and multilateral environmental agreements

48. As recognized in recent international meetings, promoting trade, protecting the global environment and achieving sustainable development require enhanced international coordination and cooperation in policy-making and implementation related to multilateral trade and environment agreements. At its eighth session, the Commission on Sustainable Development identified priorities for future work which include making trade and environment policies mutually supportive, strengthening institutional cooperation, capacity-building, and promoting partnerships. Similarly, the Global Ministerial Environment Forum, hosted by UNEP in Malmö, Sweden, in May 2000, encouraged a balanced and integrated approach to trade and environment policies in pursuit of sustainable development and recognized an urgent need for reinvigorated international cooperation.

49. There is increasing recognition of the need for research and consensus-building, enhancement of international cooperation, and identifying and implementing new and more coordinated procedures for international policy-making on trade and environment linkages. A more coherent and integrated approach to trade and environment policy-making can only be achieved through constructive dialogue based on a broader awareness and understanding of the complex linkages between trade, environment and development. Such enhanced understanding and awareness can help inform the implementation of existing multilateral environmental agreements and the negotiation of new ones and contribute to closer cooperation among such agreements, and between them and the World Trade Organization (WTO).

50. Beyond seeking a stronger integration of trade and environment policies embodied in multilateral trade agreements and multilateral environmental agreements, some Governments are exploring how potential conflicts between the trade and environment legal regimes can be effectively managed. Both WTO agreements and 20 of the more than 200 multilateral environmental agreements that exist today permit parties to use trade-restrictive measures to protect the environment. However, between two countries conflicts can arise over the use of a trade measure supported by a multilateral environmental agreement when both are members of WTO but only one is a party to the agreement. In such cases, the use of a trade measure permitted under the agreement may not be supported by WTO agreements, potentially resulting in a WTO dispute. Thus, some Governments argue that mechanisms or measures to resolve potential conflicts between the implementation of multilateral environmental agreements and WTO agreements should be established. However, others contend that such measures are unnecessary since a trade dispute related to WTO has not arisen to date and few multilateral environmental agreements regulate trade or contain specific trade provisions.

51. A number of initiatives are seeking to advance the understanding of the relationship between trade rules and multilateral environmental agreements and to encourage greater cooperation between relevant institutions and policy makers, at both the national and international levels. For example, in June 1999, UNEP convened a workshop with the secretariats of UNEP-administered environmental conventions and the secretariat of WTO which sought to enhance understanding of their respective underlying principles; clarify institutional and operational aspects of their mandates; and discuss issues of mutual concern, including how coherence between trade and environmental agreements could be improved. The meeting led to a series of events, combined with analytical work, including two informal meetings between the secretariats, held in April and July 2000, combined with a high-level panel discussion on relevant issues at the eighth session of the Commission

on Sustainable Development, in April 2000. The discussions revealed the need to move into a more proactive phase of cooperation between the secretariats. Further meetings to identify measures to increase synergies and reduce potential tensions between multilateral trade and environmental agreements will be convened by UNEP in September and October 2000. Additionally, these topics remain as active agenda items for the regular sessions of the WTO Committee on Trade and Environment.

52. UNEP has also worked to enhance its bilateral partnership with WTO. In November 1999, during the WTO Ministerial Conference in Seattle, a framework for cooperation between the two organizations was established. The framework emphasizes continued and enhanced collaboration, information exchange, consultation, and participation in each other's activities and capacity-building efforts.

53. In April 2000, UNEP and the United Nations Conference on Trade and Development (UNCTAD) launched the Capacity-building Task Force on Trade, Environment and Development (CBTF). Over a three-year period, the UNEP/UNCTAD Task Force will attempt to strengthen the capacities of countries, particularly developing countries and countries with economies in transition, effectively to address trade/environment/development issues at the national level and to participate effectively in trade/environment/development deliberations at the international level. Beginning in October 2000, in participating countries, the Task Force will engage stakeholders from all sectors of society in research, training, country studies and policy dialogue. Its activities will focus on enhancing understanding of the linkages between trade, environment and development, leading to the formulation and implementation of integrated strategies and policies to maximize the benefits of increasing trade and trade liberalization in those countries and to minimize their negative impacts.

V. Conclusion

54. In light of intergovernmental decisions highlighting the linkages between the various environmental issues and the need for continuing policy coherence and greater scientific understanding of linkages between environmental issues, concrete actions and tangible results are being achieved in exploiting synergies in the implementation of the environmental and environment-related conventions. The process initiated by the General Assembly at its fifty-third session has progressed significantly and enlarged the international community's confidence in deriving maximum benefits from its investments in the system of legal environmental instruments, without detracting from the individual focuses and mandates of the autonomous conventions.

55. Consideration should be given to undertaking a comprehensive integrated assessment of progress in the implementation of environmental and environment-related conventions on the occasion of the 10-year review of the implementation of Agenda 21 in the year 2002. The assessment should take into account the substantial benefits that can be derived from improved coordination and collaboration among environmental and environment-related conventions, and make progress on improving the harmonization of nomenclature and legal environmental principles; methodologies for cost/benefit analysis and scientific assessment; modalities for information exchange; joint thematic reporting and streamlined national reporting; and the development of performance indicators for measuring progress in implementation. Moreover, the emerging importance of globalization processes suggests that the assessment should also assess the linkages between trade and environment and identify specific areas where greater coordination and cooperation is needed between trade and environment legal regimes, institutions and policy makers. Such an assessment could provide a major contribution to the 10-year review of the implementation of Agenda 21 in the year 2002.

Notes

[1] *Official Records of the General Assembly, Nineteenth Special Session, Supplement No. 2* (A/S-19/33), chap. III, resolution S-19/2, annex.

[2] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I, resolution I, annex II.

[3] Ibid., annex I.

[4] Published by UNEP, the World Bank, and the United States National Aeronautics and Space Administration (NASA) in 1998.

[5] *Report of the United Nations Conference on Environment and Development*, ... , vol. I, resolution I, annex III.

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Human rights questions: human rights situations and reports of special rapporteurs and representatives

Situation of human rights in Burundi

Note by the Secretary-General**

The Secretary-General has the honour to transmit to the members of the General Assembly the interim report on the human rights situation in Burundi prepared by Marie-Thérèse A. Keita-Bocoum, Special Rapporteur on the situation of human rights in Burundi, pursuant to Commission on Human Rights resolution 2000/20 of 18 April 2000 and Economic and Social Council decision 2000/253.

* A/55/150.

** In conformity with paragraph 1, section C, of General Assembly resolution 54/248, this report is being submitted on 15 August 2000 so that it will contain as much updated information as possible.

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Annex

Interim report of the Special Rapporteur of the Commission on Human Rights on the human rights situation in Burundi

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I. Introduction

1. Pursuant to Commission on Human Rights resolution 2000/20, the Special Rapporteur on the human rights situation in Burundi is submitting to the General Assembly, together with the present document, an interim report covering the period from 15 April to 15 July 2000.

2. Under the aforementioned resolution, the Commission extended the mandate of the Special Rapporteur by one year, requesting her to submit, in addition to this interim report, a report to the Commission on Human Rights at its fifty-seventh session, and to include in it a gender-specific dimension.

3. This report is the second submitted by Marie-Thérèse A. Keita-Bocoum on the human rights situation in Burundi and follows her second visit to Burundi, from 27 June to 7 July 2000.

4. During her stay, the Special Rapporteur met with the highest political, legal, military and civilian authorities in the country, including the President and the First and Second Vice-Presidents of Burundi as well as the President of the National Assembly. She also had talks with the Ministers for Foreign Affairs and Cooperation; the Interior and Public Security; Defence; Justice; Human Rights; Institutional Reforms and Relations with the National Assembly; the Peace Process; Reintegration and Resettlement of Displaced and Repatriated Persons; Municipal Development; and Social Action and the Advancement of Women. In addition, the Special Rapporteur met with leading political figures who are not members of the Government, including the former President of Burundi and representatives of political parties of all persuasions. In the court system, the Special Rapporteur met with the President of the Supreme Court, the President of the Constitutional Court, the Attorney-General, the Director-General of the Prison Administration, several judges as well as a number of national and international lawyers. The Special Rapporteur held discussions with provincial authorities and officials from national and international associations active in the field of human rights, development and the advancement of women. She also had very fruitful talks with representatives of the diplomatic corps, the European Union, the Organization of African Unity and the United Nations system, including the Special Representative of the Secretary-General for Burundi and the Special Representative of the Secretary-General for the Great Lakes region, in Nairobi. She thanks the President of Burundi and all the leaders that she met, who, through their availability and assistance, enabled her to carry out this mission.

5. The Special Rapporteur wishes to congratulate the Director of the Office of the United Nations High Commissioner for Human Rights (OHCDHB) in Burundi and his entire team for the efforts made to prepare for and ensure the success of her mission and to express all her gratitude to them for the attention that they had accorded to her throughout her stay.

6. The Special Rapporteur was able to travel to the interior of the country, in the provinces of Ngozi and Bujumbura-rural. She visited the central prison in Mpimba, the penitentiaries in Ngozi, as well as hospitals and sites for regrouped and displaced persons in Bujumbura and the province of Bujumbura-rural.

7. The mission took place at a crucial moment in the Arusha peace negotiations and the Special Rapporteur was informed in an objective manner about recent developments in the general situation in Burundi, the human rights situation and, in particular, the situation of women and children.

8. Section II of this report will be devoted to presenting information on the general situation in Burundi, particularly the political, economic and social situation. Section III will deal with the specific situation of human rights and, lastly, sections IV and V will attempt to provide observations and recommendations based on this analysis.

II. General situation

9. In recent months, the general situation has been marked by the resumption of the Arusha negotiations mediated by the former President of South Africa, Nelson Mandela, whose visits to the country have been followed by a reduction in violence in some provinces, a halt in the population regroupment policy and the beginning of the dismantling of the camps.

10. Since the Special Rapporteur's visit in October 1999, the security situation has fluctuated a great deal. At the beginning of 2000, Burundians had hoped for a speedy completion of the Arusha negotiations because

of the efforts made by the new facilitator. Unfortunately, acts of violence increased considerably during the first half of the year, thus raising the number of victims in several areas of the country.

A. Political situation

11. During the Special Rapporteur's stay, the situation remained very tense in spite of an apparent calm in the capital and in a number of northern provinces, including Ngozi. In many provinces, the people are still hostage to clashes between armed groups and government forces, when they are not the victims of unidentified armed groups and bandits. Rebels recruit able-bodied men and minors by force among the civilians and are supplied willingly or otherwise by the people, who, as a result, are subjected to reprisals by the Government forces, who accuse them of complicity with the rebels.

12. In the capital, the relative calm was frequently disturbed by sporadic shooting, which can be attributed to acts of banditry or isolated actions by armed groups, which are immediately followed by vigorous repressive measures on the part of the Government forces. The curfew, which began at 2200 hours in October 1999, was shifted to midnight. This indicates a change in the security situation. Nevertheless, the tension continues because of the formation of militias and self-defence groups among the Tutsi population, in spite of the declared disapproval of the Government. All these tensions can be explained by the various assessments of the developments in the Arusha process and the proposals by the mediator which have not met with the approval of some Burundians linked to political associations and groups considered extremist. This increase in extremism weakens the power of the authorities and radicalizes the positions of antagonistic groups.

13. In southern and south-eastern Burundi, particularly in the provinces of Makamba, Rutana and Ruyigi, which are subjected to frequent rebel attacks, security is more precarious. These territories are under the control of the army during the day, while at night the rebels hold sway there.

14. The increase in the number of recruits and weapons indicates that the position of the combatants has become radicalized. Since the beginning of June, the rebels have besieged the centre of the country, particularly the province of Gitega. In the north, the calm is threatened by a disastrous economic situation resulting from the widespread drought that for three years has been affecting this region of Burundi, which produces most of its food resources. The dangers arising from crime in the region and elsewhere have increased because of this.

15. The general situation in Burundi is influenced by that in the subregion. Indeed, there has been an ongoing "interlocking" of the various countries of the Great Lakes region in the internal conflicts convulsing them, making the problem of the permeability of borders a constant source of insecurity. Consequently, the imminent possibility of the implementation of the Lusaka agreements prompted many of the armed groups to move to the eastern part of the Democratic Republic of the Congo, Burundi and the United Republic of Tanzania.

16. After the security situation improved in some provinces, the United Nations system returned to phase III of its Security Plan in those provinces, while phase IV was maintained in the southern provinces, the centre of the country and certain places in Bujumbura-rural.

B. Developments in the peace process

17. The mediation efforts by President Mandela have given a dynamic impetus to the Arusha peace process, which has recently undergone a real change.

18. However, in May 2000, several questions were still the subject of discussion. During the same month, a number of steps were taken in Burundi and elsewhere in order to pave the way for the future peace agreements. Accordingly, the President of Burundi paid a working visit from 28 to 30 May 2000 to Nigeria, a country that is indirectly involved in efforts to resolve the Burundian conflict.

19. Some members of Burundian civil society met in Pretoria from 29 to 31 May 2000 in order to consider the peace process. They included P. A. Amasekanya, representatives of the press, young people, Bishop Simon Ntamwana, as well as a delegation of 10 women observers in Arusha. However, the President of AC-GÉNOCIDE-CIROMOSO, Venant Bamboneyeho and Charles Mukasi of the Union pour le progrès national (UNPRONA), who are opposed to the peace process, refused to participate in the meeting.

20. In June 2000, the second visit by President Mandela to Burundi, which began on 12 June 2000 in Bujumbura, focused his attention on political activities and the Arusha negotiations. Upon arriving, Mr. Mandela visited the central prison in Mpimbi. The following day, 13 June 2000, addressing the National Assembly, he immediately expressed publicly his indignation at the bad prison conditions in which prisoners were kept. During his address, President Mandela put forward proposals for promoting mediation. They relate to the transition period, balance within the army and the dismantling of the regroupment camps.

21. On 8 June 2000, the dismantling of the regroupment camps in Bujumbura-rural was already in its third phase. Thus, from 8 to 10 June 2000, seven sites in three communes were dismantled and the number of persons who had received authorization to return home increased to 111,695. In the opinion of the military authorities, most of them have been unable to do so because of the prevailing lack of security in their places of residence.

22. The Government, through the Minister for Foreign Affairs and Cooperation, officially declared, during a meeting with the diplomatic corps, its determination to implement a policy of "villagization" in certain sites for regrouped persons on the outskirts of the capital.

23. During her stay in Burundi, the Special Rapporteur noted that the direct contacts established by the mediator with the rebels had made it possible to bring about a remarkable acceleration in the peace process. The Burundian Government supported the proposal by the mediator on establishing equilibrium within the army, while the modalities for implementing this principle, however, were still to be defined. Nevertheless, owing to the persistent nature of the difficulties encountered, the date of 20 July 2000 set for the signing of the agreements was uncertain.

24. Despite these questions and controversies, the work of most of the commissions (the first, second and fourth) was completed.

25. The most recent round of the Burundi peace negotiations was held from 19 to 22 July 2000. The participants agreed to meet again on 7 August 2000 to continue their negotiations on a peace agreement expected to be signed on 28 August 2000. Prior to that, a meeting between representatives of the armed groups, the Burundian army and the facilitator, Mr. Mandela, was scheduled for 3 and 4 August 2000 in South Africa to address the ceasefire issue. A draft peace agreement prepared by the facilitation team was submitted to delegations at Arusha. The draft agreement includes proposals for a compromise with respect to the main outstanding issues on which no consensus had been reached. It provides for the designation, in Arusha, of a president and two vice-presidents from among the different ethnic groups, a 100-member national assembly, and a senate composed of two representatives from each province. With respect to security, the draft stipulates that no ethnic group shall make up more than 50 per cent of the defence forces. The transition process must come into force three to six months after the signing of the agreement and must be completed within a period of 30 months at the latest with the election of a new president. The draft agreement describes the Burundian conflict as being basically political with considerable ethnic undertones and holds the country's former colonizing Powers — Germany and especially Belgium — responsible for the current situation.

26. A proposal by the facilitation office that the key players — the Front pour la démocratie au Burundi (FRODEBU), Conseil national pour la défense de la démocratie (CNDD), Parti pour le redressement national (PARENA), Union pour le progrès national (UPRONA), the Government and National Assembly — should continue the consultations, was vigorously rejected by the other parties. Lastly, four other parties — two from the G-7 and two from the G-8 — will join the key players on 31 July 2000.

27. Three main issues are still under negotiation: ceasefire arrangements, amnesty and deciding on an eminent person to head the transitional Government. Other points on which there is still a considerable divergence of views are the electoral system, transitional institutions and assurances to be provided under the agreement.

28. On 19 and 20 July 2000, the mediator, Nelson Mandela, held consultations with the 19 delegations as well as with that of CNDD-Forces pour la défense de la démocratie (FDD) led by Jean-Bosco Ndayikengurukiye, who, although he had participated in the negotiations for the first time in Arusha, declared that he would not sign agreements in the negotiation of which CNDD-FDD had not been involved. Kabura Cossan, leader of the other armed group, the Parti de la

libération du peuple hutu (PALIPEHUTU)-Forces nationales pour la libération (FNL), did not participate in the Arusha negotiations.

29. At the same time, the heads of State of Kenya, Uganda and the United Republic of Tanzania met on 19 July 2000 under the chairmanship of Nelson Mandela to hold discussions on the peace process.

30. The women of Burundi also met on 17 July at Arusha to discuss the peace process. That conference, involving all the parties, was organized by the United Nations Development Fund for Women (UNIFEM) in cooperation with the facilitation office.

C. Economic and social situation

31. The human rights situation in Burundi is influenced by a steady deterioration in economic and social conditions. Despite the lifting of the embargo, the economy has not recovered. Poverty has deepened in recent months in spite of government efforts to combat corruption, fraud and embezzlement. The resumption of cooperation, however slight, has been made largely conditional on the signing of the peace agreements. The disastrous effects of the war have been compounded by drought, which has been ravaging the north of the country for many years.

32. Burundi has an estimated population of a little over 6,500,000 inhabitants, with an average density of 239 inhabitants per square kilometre, spread over a surface area of 27,834 square kilometres. Women account for 52 per cent of the population. The population growth rate is estimated at 2.86 per cent. The birth rate is about 45 per 1,000 live births, while the mortality rate is over 16 per 1,000 live births. The fertility rate is about 7 children per woman, and 53 per cent of the population is under 18 years old. The country has an illiteracy rate of 62 per cent, a school enrolment rate of 37 per cent, a child mortality rate of 123 per 100,000 live births, while only 28 per cent of the population has access to safe drinking water.[1]

33. Burundi, whose economy is 92 per cent agricultural, derives most of its earnings from coffee. Despite a good road infrastructure, it remains a landlocked country that is dependent on air networks, the Kigoma-Dar es Salaam railway system and the ports of Dar es Salaam and Mombassa for its external trade. It is classified as one of the low-income countries, and its external debt has been increasing steadily as a result of its failure to repay debts at maturity and the depreciation of the national currency against most foreign currencies in which its debt is denominated. The situation has been aggravated by the poor 2000 harvest which, according to estimates, is 6 per cent lower than that of 1999 and 30 to 40 per cent lower than a normal year's harvest.

34. Several projects developed by the international community are ongoing or planned, but their completion depends on improvements in the security situation. However, there is now consensus on the economic assistance to be provided to Burundi. For the moment, the support given to the country is not enough to spark a substantial development of the economy.

35. The disastrous economic situation gives the impression that Burundi is an overpopulated country with food problems that have been compounded by issues of land distribution, education and health. The country therefore continues to be dependent on external food aid. Its development and the survival of its population are conditioned on the signing of a peace agreement that will enable everyone, men as well as women, to participate in economic recovery efforts. In order for Burundi to become autonomous once more, its people must take matters into their own hands by boosting economic, agricultural and industrial activities.

36. On the social front, the country continues to be considerably affected by the exploitation for political ends of both ethnic differences among the Hutu, Tutsi and Twa and regional characteristics.

37. All the foregoing political, economic and social factors explain the many human rights abuses noted today although, as a result of the efforts of the Government, civil society and the international community, there have been considerable changes in some sectors which augur well for the future.

III. Human rights situation

38. Since October 1999, there has been no change in the human rights situation. However, with regard to the legal system, the situation has improved somewhat as a result of the introduction of reforms, including the implementation of the new Code of Criminal Procedure. The situation around the capital and in some provinces is relatively calm as a result of the decline in

mass killings and massacres. Elsewhere in the country, the situation still gives cause for concern.

39. The main human rights violations concern violations of the right to life, to physical integrity, to personal freedom and security, to the freedom to choose one's residence, to freedom of expression as well as violations of social and economic rights.

A. Civil and political rights

1. Violations of the right to life

40. Violations of the right to life basically take the form of attacks by known and unknown agents of the State on and massacres of civilians living in the *collines* or sites for displaced or regrouped persons. Private homes and government and socio-economic infrastructure were destroyed, while ambushes and murders were perpetrated on the highways. Such violations are often accompanied by rape and plunder.

Violations attributed to agents of the State

41. The Special Rapporteur was informed about several violations attributed to agents of the State, including some very major ones.

42. On 7 May 2000, members of the military and gendarmes from Bujumbura mounted an operation on the Kavumu regroupment camp in the commune of Kanyosha, province of Bujumbura-rural, to search for arms hidden in the camp. The people regrouped in the camp were divided into groups according to their home *collines* and searched for hours. They realized afterwards that the military had robbed them of their property and food, which had been transported by lorry to the Linkona position. In addition to such plunder, five people were killed during the operation. Although the authorities disagreed about the number of victims, they admitted that blunders had been committed and carried out some arrests.

43. The Special Rapporteur was informed by observers of the Office of the United Nations High Commissioner for Human Rights in Burundi (OHCDHB) of the discovery in a house located in Kibeza *colline*, Kanyosa commune, province of Bujumbura-rural, of human remains — 40 skeletons of people who had been allegedly arrested then massacred by the military in December 1999. Given the seriousness of the crimes, OHCDHB called upon the Burundian authorities to open an investigation into the matter.

44. On 16 May 2000, in retaliation for a rebel attack on the Kinyankongo site (Mutambu commune, province of Bujumbura-rural), members of the military attacked the population, which was accused of cooperating with the rebels. Thirteen people were said to have been killed, while the site was sealed off. The liaison unit confirmed the incident, but put the number of dead at four, noting that 11 people had been wounded by stray bullets.

45. On 18 May 2000, people who were returning home in the Burima sector, Giheta *colline* (Mutambu commune, Bujumbura-rural province), were detained by soldiers for questioning. Seven of those detained subsequently died, including five children: Bereta (aged seven), Vanzerine (aged five), Divine (aged two), Rurete (aged two) and Numvana (aged three).

Violence attributed to rebel groups

46. In recent months, many rebel attacks have been perpetrated against the civilian population in the province of Bujumbura-rural and in the south of the country. The Special Rapporteur, who travelled by road in Bujumbura-rural province, noted the extent and violence of such attacks by the large number of charred, bullet-ridden hulks of vehicles littering the roadside.

47. On 15 May and 3 July 2000, rebels attacked, wounded and killed several people in the province of Bujumbura-rural and Bujumbura-Mairie. Those attacks shattered the climate of relative peace and security that the capital had been enjoying for some months.

Acts of violence by persons unknown

48. In the evening of 21 May 2000, an unidentified armed group attacked vehicles on national highway 4, 10 kilometres from Bujumbura. According to witnesses, armed men in military uniforms allegedly formed three groups and ambushed three vehicles. One of the three occupants of the first vehicle, which was coming from Gitumba province, Léonidas Sibomana, was burned to death. The 15 passengers in the second vehicle escaped unharmed. However, two of the 10 passengers in the third vehicle, a public transport bus, were killed by bullets; a third was burned to death in the bus, while three others, including a woman, were injured. While it cannot be stated that the killings were

selective, it is a fact that the dead people were Hutus. The witnesses said that the attackers checked the ethnic origin of at least one of the victims, the injured woman, before sparing her life.

49. On 29 June 2000, an Italian priest, Carlo Masseroni, fell victim to bullets fired by unknown persons believed to be rebels, in his parish at Gatsinga (Mwumba commune, Ngozi province).

50. On 10 July 2000, the Mubone *chef de zone* (Kabézi commune, Bujumbura-rural province) was killed in his residence by unknown persons who, according to the authorities, were rebels.

2. Violations of the right to personal freedom and security

51. On 14 April 2000, Déo Nteziyorvwa, suspected of complicity with the rebels, was arrested at his home at Buterere, Bujumbura-Mairie, by the *chef du quartier*. He was taken to the military post at Buterere and tortured, and was then taken to the Kiyange brigade barracks, before being released on 9 May 2000.

52. On 26 April 2000, a soldier at the Ndagano post (situated between Nyambuye and Gikungu) in the Bujumbura-rural province forcibly abducted a brother and sister; the boy, aged 20, was assaulted, and the girl, aged 11 (Nimari Bicuru Fabiola), was raped. The parents of the victims informed the public security police, which opened an investigation.

53. Several other violations attributed to members of the military were brought to the attention of the Special Rapporteur, including extortion of funds and the use of anti-personnel mines. She was also informed of cases of arbitrary arrest.

54. Following the rebel attack against the displaced persons camp at Businda (Bukeye commune, Muramvya province), about two dozen people are alleged to have been arrested, detained at the brigade barracks, and then incarcerated at the Muramvya prison. Despite the decision of the State Prosecutor, following an investigation, to grant provisional release to some of them, the prosecutor-general at the Bujumbura court of appeal is alleged to have had them transferred to Mpimba on 13 April 2000. OHCDHB was contacted by the families and heard allegations that there had been a deliberate set-up to implicate those persons.

3. Violations of physical integrity

Torture and ill-treatment

55. Cases of torture and ill-treatment are still being recorded in the police *cachots* (public security police, judiciary police of the *parquets*, police from gendarmerie brigades), or in those of communes and zones. Some prison inmates also show signs of torture and claim to have been tortured in police *cachots* or in clandestine places of detention. Other cases are the work of armed bands, which subject their victims to torture and ill-treatment before stripping them of their property.

56. During her talks with the representatives of humanitarian organizations, particularly in the field of health, the Special Rapporteur noted that the majority of patients consist of persons suffering from bullet wounds or malnutrition. Malnutrition is rampant in the southern part of Burundi since, owing to the insecurity, not all patients have access to the aid provided by these organizations.

57. During her visit to the Bujumbura hospitals, the Special Rapporteur observed a sharp reduction in cases of malnutrition, particularly in the paediatric wards, compared with her previous visit. There are still many cases among the people coming out of the former regroupment camps, however. In contrast to October 1999, the Special Rapporteur did not see young children among the gunshot victims in the public hospitals. On the other hand, about 75 per cent of the cases of traumatology in the hospital centres of the capital are gunshot victims.

Rapes

58. Cases of rape, including the rape of girls, have been reported, particularly in the stricken areas. Other rapes are committed by armed bands on women captured during attacks. The Special Rapporteur was informed that many cases are not brought to trial. In 1999, the Bujumbura courts took up 17 cases of rape. The laws of Burundi provide for penalties of 10 to 20 years of imprisonment for rape, or even more if there are aggravating circumstances. Most cases go unpunished, however; social or other pressures no doubt explain the acceptance of out-of-court settlements by the victims or their parents.

4. Dismantling of the camps

59. The dismantling of the camps, which had already begun before the Special Rapporteur's visit, continued, although it was not possible to find out exactly how many camps were affected by the operation. Moreover, the military authorities met by the Special Rapporteur gave her to understand that the deadline of 31 July 2000 established by the Government for the completion of the dismantling is subject to the full restoration of security in the zones concerned.

60. At the time of the Special Rapporteur's visit, over 230,000 people had returned to their homes. About 100,000 of them, however, had returned of their own free will to the regroupment areas for security reasons. For example, some of the former regrouped persons from the dismantled camp at Kavumu, which the Special Rapporteur visited, remained in the area in order to be able to receive food and medical aid provided by humanitarian organizations.

61. In general, the dismantling operations took place during the dry season. Since the people do not have sufficient food reserves (because of difficulty in gaining access to the fields during the regroupment), they have remained dependent on humanitarian aid. Moreover, in some cases, insecurity in the *collines* forced the people to remain where they were. Nevertheless, the dismantling allows free movement of persons, ease of access to humanitarian aid, and the benefit of the solidarity of neighbours.

62. In the camps which have not yet been dismantled, the situation remains intolerable. The visit to the Mageyo camp revealed the great distress of the people living there and confirmed the absolute necessity of dismantling all the camps. The Special Rapporteur visited this camp even though the Governor of the province was firmly opposed on the pretext that the camp had already been dismantled and that security was not guaranteed there.

63. The same kind of distress was found among the displaced persons of Carama. The living conditions in this camp are harsh, especially for widows, elderly women and the many children, who often live in an intolerably precarious state, suffering from illnesses, malnutrition and the cold.

5. Violations of freedom of opinion and expression

64. Freedom of opinion and expression have been violated by the public authorities, which have frequently prevented the holding of meetings, particularly of opponents to the Arusha process. The Special Rapporteur was informed of the existence of political groups and associations which are hostile to the Arusha peace process and claim not to have been able to express their opposition. Government representatives who were approached by the Special Rapporteur on the question explained this refusal by referring to provisions of the Convention on Governance. They added that this hostility to negotiations is intolerable because it jeopardizes the signing of the peace agreements.

6. Violations of the right of trade unions to function freely

65. The Burundian trade union movement has gained several new members since the beginning of 2000. However, according to the trade union officials who were encountered, trade union freedom is not respected. They mentioned cases of arrests, arbitrary assignments, wrongful dismissal, violations of the right to strike, arbitrary detentions, and violations of freedom of expression and assembly.

7. Violations of the rights of persons deprived of their liberty

66. The situation of persons deprived of their liberty has changed slightly since the beginning of the year as a result of reforms of the judiciary, improvements in the conditions of detention in certain prisons, and support by the Government, human rights associations and humanitarian organizations. Even so, many irregularities persist.

Prisons

67. The penitentiary establishments are still characterized by shortcomings and irregularities because of massive overcrowding (the total of over 10,000 prisoners in June 2000 greatly exceeds the capacity to house them), inadequate food, very poor health services, and delays in processing the cases of detainees.

68. The Mpimba prison, which the Special Rapporteur visited for the second time, shows some improvements since the previous visit; this is no doubt

attributable to the effectiveness of international pressure and the assistance provided by the International Committee of the Red Cross (ICRC). The number of prisoners remains very high, however, with 2,681 prisoners instead of 800. The Special Rapporteur observed, in addition to lengthy periods of imprisonment, many cases of imprisoned minors, and of infants living with their incarcerated mothers. The visit by the mediator, Nelson Mandela, led to an improvement in the conditions of imprisonment of persons condemned to death. They are still kept in isolation, however, unlike the inmates of other prisons in Burundi. An infirmary recently built by ICRC is able to care for sick inmates and isolate those who are affected by epidemics. Changes are being made to isolate minors from adults.

69. At Ngozi, men and women are not held in the same prisons. The men's prison officially contains 2,258 prisoners, although it was built to hold 400 prisoners. Among these prisoners are 224 convicted persons, including seven minors. Eighty per cent of the detentions are associated with the 1993 crisis. During her visit, the Special Rapporteur met several prisoners aged between 15 and 19 who have been sharing the same space as adults for several years. She deplored the poor prison conditions, notwithstanding the efforts of ICRC to replace all the mattresses. The penitentiary building is divided into eight cells measuring 80 m^2 with over 200 prisoners in each one, six cells measuring 50 m^2 with about 100 prisoners in each one, and *cachots* measuring 4 m^2 with 8 persons in each one; so that at night the prisoners are piled on top of each other in these *cachots* and in the corridors. The large cells are crammed with mattresses piled on two levels.

70. The food rations of all prisoners in Burundi are identical (300 g of beans and 300 g of manioc flour per prisoner per day). At Ngozi, because of the lack of bowls, many prisoners have only their hands to receive warm meals. Most of them live barefoot and in rags; malnourished, they frequently fall ill. There is an infirmary which, from time to time, receives consignments of medicines from international organizations, but the prisoners cannot be visited by doctors. The Special Rapporteur was approached by prisoners who said that they had been in prison for several years without ever appearing before a court. Many of these people told her that they felt they had been the victims of irregularities during their trials, and expressed misgivings about the justice system in Burundi. Several of them were tried before legal aid programmes were made available, and without a lawyer.

71. Female detainees in Ngozi enjoy better living conditions than men. There are 56 female detainees, of whom 30 have been convicted. There are no female minors. Twelve newborn babies share the prison environment with their mothers. The prison, which is considered to be too large for the number of women there, was divided in two in order to accommodate men in the other half.

Other detention centres

72. The Special Rapporteur was informed of the situation prevailing in the zone, brigade and police jails, where conditions of imprisonment are acceptable in certain cases, but appalling in others. However, despite the lack of human and material resources, an effort is being made to ensure the proper application of the new Code of Criminal Procedure in the *cachots*. The various provincial prosecution services are making similar progress. Thus, instances of several months' imprisonment in a *cachot*, or of transfers to prison merely on the basis of a police report, have decreased considerably and are even rare.

73. Nonetheless, cases of human rights violations continue to be identified in certain jail facilities of the police, public security police and judicial police of the prosecutors' offices, and in the *cachots* of communes and zones. What has been observed there, in particular, are cases of arbitrary detention, torture or abuse, malnutrition and starvation of many detainees who do not have the benefit of supplemental support from their families. Often these detainees have been in police custody far longer than the legally permissible period.

74. Hygienic conditions in the *cachots* are generally appalling (no water and no ventilation) and often cause dysentery. There are also secret detention centres in the communes, zones or camps and military posts.

8. The justice system and a state based on the rule of law

75. Appreciable progress has been made in the justice system, thanks to the new Code of Criminal Procedure, which entered into force on 1 January 2000, particularly as regards respect for the legally permissible period of police custody and interrogations

conducted by judicial police officers. This can be attributed to an effective legal assistance programme, the efforts of humanitarian and human rights organizations and the Government's will to become more involved in establishing a state based on the rule of law in Burundi. This progress, however, remains hampered by what are still too many irregularities, inadequacies and acts of violence that are aggravated by the war situation, extreme poverty and the excessive number of prisoners. The major problems remain the slowness of the judiciary system, the growing corruption of certain judges and political, social and cultural pressures. The Government is responsible for ensuring that the situation improves but is confronted with a lack of resources. The slowness of the justice system is a serious obstacle, given the number of cases pending before the Criminal Division. Indeed, out of a prison population of approximately 10,000, nearly 8,000 are in pre-trial detention.

76. In order to remedy this situation, the Ministry of Justice undertook both to strengthen temporarily the Prosecutor's Office at the Court of Appeals by assigning teams of judges to speed up the investigation of cases, and to carry out regular prison inspections by the prosecutors' offices in order to ease the overcrowding. For example, at the end of January 2000, more than 200 accused persons were released on bail. In addition, a number of prisoners who had served more than one fourth of their sentences were released on parole.

77. Since the application of the new Code of Criminal Procedure, arbitrary arrests have decreased, and considerable work has been done in order to sort out detainees' files. In Ngozi, despite the fact that there are very few judges, since December 1999, 1,200 cases have been confirmed and 40 of those dismissed. A mission of eight itinerant judges reviewed 600 files and released 250 detainees between January and April 2000. In that same town, the Special Rapporteur was informed of a significant decrease in indictments since 1999 and received assurances that the 190 pending cases would be rapidly processed.

78. Since early 2000, the Criminal Division has convened three sessions: the first from 10 January to 10 February; the second, from 10 April to 11 May; and the third, from 3 to 28 July. From January to April 2000, 1,178 cases were appealed; 167 arrests were pronounced; 40 persons were sentenced to death, 43 to life imprisonment and 86 to shorter prison terms; and 84 persons were acquitted. In May 2000, there were 22 arrests, resulting in four death sentences, equivalent to 18 per cent of those arrested, eight sentences of life imprisonment, equal to 36 per cent of those arrested, four shorter prison sentences, or 18 per cent, and lastly, 15 acquittals, or 68 per cent.[2]

79. The Ministry of Justice thinks that it will be able to ensure that all detainees are tried before April 2001 by extending and expanding the number of sessions of the Criminal Division and increasing the number of judges in the field. It also intends to pursue its efforts to improve conditions of detention in the prisons, particularly as regards health and food.

80. The ethnic imbalance in the magistrature and the Bar persists. Efforts are indeed being made to remedy this problem, which is more crucial in the higher magistrature. The current project for a Higher School of the Magistrature would be a step in this direction. Improvements could result from the enactment of the new magistrature statutes of 29 February 2000; however, their application is still subject to financial constraints that cannot be easily overcome.

81. Other barriers to the application of equitable justice include witnesses' failure to appear at trials and many cases of false testimony. These problems are beginning to be solved under the Legal Assistance Programme and with help from human rights leagues.

82. It should be noted that the Legal Assistance Programme, operated by the Office of the High Commissioner for Human Rights in Burundi (OHCDHB) and the training courses for judges are still having a positive impact on the promotion and defence of human rights. As a result, acquittals are pronounced on the basis of greater respect for the law, and death sentences are increasingly being replaced by life imprisonment and shorter prison terms. However, it is regrettable to note that, in Burundi, capital punishment is still in effect, despite the efforts of OHCDHB to encourage the Government and judiciary authorities to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aimed at abolishing the death sentence, and to revise the Penal Code.

B. Economic, social and cultural rights

83. Tremendous insecurity and the very low level of foreign trade have plunged the country into enormous

economic hardship, thereby aggravating the deterioration in the living conditions of the Burundians. Coupled with this is the inability of the authorities to adequately guarantee the economic and social rights of the various strata of the population, particularly the most vulnerable. Since income is low, it is virtually impossible for many households to cover basic expenses for food, shelter, clothing, health care and children's education. Prices regularly increase and, in July 2000, another fuel price increase had a very severe impact on economic activities, particularly on transport. As a result, the drop in purchasing power was felt even more keenly, since there has been no substantial wage increase.

1. The right to health

84. Not everyone enjoys the right to health in Burundi, given the high cost of medicine, the inadequate and decrepit medical facilities and equipment and the lack of medical personnel, despite the assistance provided by humanitarian associations and organizations.

85. Not all Burundians, particularly those in the rural area, have a health insurance card, which, in any case, covers only a fraction of the medical benefits. The situation is aggravated by the extreme poverty of most of the patients. A visit to the hospitals revealed a strong prevalence of patients affected by acquired immunodeficiency syndrome (AIDS), who account for up to 80 per cent of the hospital beds in general medicine, while the incidence of AIDS among the urban population is 15.9 per cent, according to estimates by the Office for the Coordination of Humanitarian Affairs (OCHA) in Burundi.

86. There is a glaring dearth of medical personnel in the public hospitals. In the entire country, there is one doctor for 21,517 persons and one male nurse for 3,033 persons. The rate of vaccination coverage is approximately 48 per cent.

87. In order to facilitate the Burundian population's access to health care, the Government took a number of measures, including the establishment, on 29 March 2000, of the Dispensary of essential generic medicines, medical appliances and laboratory products and equipment of Burundi. Other projects, particularly with regard to AIDS control and patient care, are being carried out with the support of United Nations agencies. However, the treatments proposed still cost much more than most Burundians can afford. Nonetheless, the Special Rapporteur's visit to and meetings at the Bujumbura hospitals revealed the urgency of effective measures in this area.

2. The right to education

88. The crisis afflicting the country has aggravated the problems related to the right to education. The quality of education is affected by the dearth and inferior quality of personnel and the inadequacy of school premises and teaching materials, which were for the most part destroyed in the fighting between the warring parties. Coupled with this are the disruptions in the school calendar, owing to the many forced displacements of teachers and pupils. The result is a greater number of children out of school, particularly in the provinces of Bubanza, Makamba and Ruyigi, where insecurity prevails. In Ruyigi, the schools have lost a huge number of pupils who took refuge in the United Republic of Tanzania after the March attacks. Some who returned without their parents are unable to pay the "minerval" (registration fee), which many parents in Burundi cannot afford either.

3. Children's right to special aid and assistance

89. In Burundi, children are drawn into conflicts; they are used by all the warring parties to carry weapons and ammunition, and to do chores and errands. Visits to prisons revealed that minors have been imprisoned for complicity with the rebels. Another phenomenon highlighting the vulnerability of children is the disturbing number of street children and orphans in the capital and elsewhere in the country. Still another is the situation of young children who, in the absence of shelter, share their mothers' prison quarters.

C. Status of women

90. The status of women in Burundi is defined by poverty, an excessive burden of household duties and considerable dependence on the husband. It is also characterized by low levels of representation in decision-making, insufficient training and information and a very low literacy rate, which restricts enjoyment of their rights. Women are also affected by the war and social and economic burdens. The men are at the front, disabled or killed, and women very often find

themselves heads of households, forced to raise their children alone.

91. Women suffer numerous violations of their rights. Violence against them is often physical, psychological and even sexual. Their rights to inherit property and own land are also violated, the consequences of polygamy and rape. The main obstacles to women's advancement are tradition and ignorance. For the most part, they are unaware of their rights and do not know the procedures to be followed when they are subjected to injustices. Moreover, legal texts published in French are inaccessible to most rural women; many of the large numbers of rural women are illiterate. The situation of widows is also of great concern.

1. Women in the economy of Burundi

92. Statistically, women represent 52 per cent of the workforce, but the real figure is undoubtedly higher because of the war. However, they hold few management posts (only 13.43 per cent of company directors or high-level executives). They are in the majority in agriculture (over 55 per cent), but are much less represented in intellectual and scientific professions (21 per cent), while they are more or less well-represented in mid-level jobs and administrative positions.[3]

93. While the proportion of women is relatively large in business, the hotel and catering industries and the banking sector, they are found in job categories which require mid-level training, and thus are low-paying.

94. Burundian law gives women the same employment rights and responsibilities as men. Hiring conditions are identical; they compete for vacancies on an equal footing and receive salary and benefits under the same conditions. In reality, however, subjective criteria are sometimes taken into consideration and are to the detriment of women. An inferiority complex, originating in custom and upheld by society, often prevents women from competing with men for high-level posts. The problems of women's employment are exacerbated by the structural adjustment programme, which reduces the job market because it affects the support posts (downsizing) which women essentially fill.

95. In the area of health care, programmes have been under way since 1983 to raise awareness in society, especially among women and youth, of reproductive health issues, including family planning. The Government has made additional efforts to improve the health of women and children (maternal and child health programmes and combating AIDS), but despite this determination on the part of Government, the situation remains very precarious in this field. Over 80 per cent of women in Burundi give birth at home under poor sanitary conditions, often without trained assistance. Moreover, malnutrition has been found to cause severe illnesses in pregnant women and nursing mothers. In addition, rural women are weakened by an excessive burden of labour.

96. The educational system does not practice any discrimination against women; nevertheless, the weight of tradition and attitudes explains why disparities between boys and girls persist, especially in rural areas. In primary education, the enrolment figures by sex show that the number of girls has increased steadily (over 45 per cent), but does not yet correspond to the proportion of women in the society. A decline in the number of girls during the school and university cycles can be seen: girls make up 38 per cent of secondary-school pupils; at the higher levels, only 26 per cent. Girls appear to prefer short cycles leading to social careers.

2. Women in legislation

97. The monetarization of the Burundian economy obliges women to join in the search for new sources of income to meet the needs of their families. The number of women in the agricultural sector is particularly high. In order to develop businesses and improve the welfare of their families, women must rely on credit. Legislation which discriminates against women entrepreneurs has been repealed. Spousal authorization is no longer required to open a bank account, operate a business or obtain credit, but credit is generally granted only in small amounts. To remedy the situation, women have organized credit associations, the results of which are still not very encouraging.

98. Equality of men and women in Burundi is guaranteed by domestic and international legal instruments, granting them, inter alia, identical civil status for concluding contracts and administering their property. They receive equal treatment before the courts. In marriage, equal rights are ensured by the decree law of 28 April 1993 on the reform of the individual and family code. However, this equality before the law is greatly distorted by the practice of customs which relegate women to an inferior position.

Moreover, legislation still contains gaps and provisions that discriminate against women. For instance, it is silent on the subject of succession, marital property regimes and gifts. In these areas, the prevailing customs are decidedly unfavourable to women, who remain subjected to the traditional burdens and are unaware of their rights.

99. A commission was formed within the Ministry of Justice, headed by the President of the Constitutional Court, a woman, to finalize the bill on succession and marital property schemes. This multidisciplinary commission, the majority of whose members are women, has been considering this bill since July 1999. It appears, however, that the concept of this draft law does not enjoy broad consensus among women, which explains to a large extent why the bill has moved so slowly.

100. It is thus clear that the status of women and their integration into the development process face sociocultural, legal, political and economic obstacles. At the sociocultural level, a woman's worth is still determined by her offspring. This view is a handicap to rural women, whose lives conform to the rhythm of fieldwork and housework; it also impedes the development and the use of the abilities of intellectual women in fulfilling political and economic roles.

101. At the political and institutional level, the major obstacles to the advancement of women, especially in rural areas, come from the lack of adequate training structures and institutional and material support for women's organizations.

IV. Observations

102. Burundi has ratified most of the international human rights instruments, including most recently the Statute of the African Court of Human Rights. There is a parliamentary commission on justice and human rights, whose main activities involve the promotion and protection of human rights through legislation. The Government has just established a Commission on Human Rights in order to strengthen their protection. The members have not yet been appointed; it is to be hoped that their nomination by the Government will not affect their independence in the least. At the commune level, human rights committees have been set up to raise the awareness of local government authorities and the people with regard to respect for human rights. This political will on the part of the Government, which is associated with increasing awareness among civil society, especially women and youth, bodes well for a better future for human rights in Burundi, provided that the interests of individuals or groups can be overcome.

103. An analysis of the overall situation shows that much of the territory is secure, except the province of Bujumbura-rural and the southern provinces. The war is conducted through the civilian population, and women and children are the main victims. This situation requires a rapid end to the war through the signing of the peace agreements and an urgent cessation of hostilities, in order to protect civilian lives. Such agreements will make it possible to envisage greater respect for human rights, including economic, social and cultural rights. The future of Burundi depends on these agreements, so much that the presence of all the parties to the conflict at the negotiating table is crucial. Peace is an absolute necessity for all the parties. It is essential for reviving the Burundian economy, whose fate is closely linked with those of the other Great Lakes countries.

104. During discussions with the representatives of different political leanings, the Special Rapporteur was informed repeatedly that one of the questions which weighed heavily on the atmosphere in Arusha on the eve of the conclusion of the agreements was the attitude of the United Nations towards the report of 23 July 1996 of the International Commission of Inquiry. This issue was often associated with the question of impunity.

105. All those with whom she spoke paid tribute to the credibility of the mediator, Nelson Mandela, and most stated that, for the peace process to have a successful outcome, the agreements must have the approval of all Burundians. In that regard, she was pleased to learn that the mediator is planning an awareness campaign to promote support for the agreements after their signing.

106. The success of the future agreements will depend on the degree of involvement of all those, both at home and abroad, who have an interest in Burundi. The involvement of the international community should be made tangible through the deployment of sufficient funds to implement the agreements, thus contributing to the development of an egalitarian policy in Burundi. The credibility of the international community in

Burundi, the Great Lakes region and the rest of Africa depends on its success.

107. A trend towards a decline in the number of Burundian refugees in the United Republic of Tanzania has been observed. Nevertheless, over 500,000 refugees remain there, of whom 200,000 fled Burundi during the events of 1972. A plan for the repatriation of refugees, with the cooperation of the Office of the United Nations High Commissioner for Refugees (UNHCR), has been prepared with a view to the post-Arusha period. However, arrangements must also be made for the eventuality of a mass and disorganized return which could create an emergency situation. Providing assistance to internally displaced persons, in particular where the two groups must live together, is also a matter of concern. The possible signing of the peace agreements makes an examination of this fundamental question a matter of urgency.

108. The inferior status of women should be considered in terms of the specific situation in the country. There is a contrast between the position that women occupy in society and the role that nature and circumstance have conferred on them. Burundian society remains bound by customs, mentalities and practices that produce discriminatory attitudes towards women, which the current circumstances reinforce. The numerical proportion of women, their close relationship to children, and the consistent support that they provide to society indicate the role which they will be called on to play in building a harmonious future in Burundi. It is thus imperative that measures should be taken to hasten their advancement.

109. It is noticeable, moreover, that women, especially urban women, are becoming increasingly aware of the place that they should have in society. Their participation with permanent observer status at the Arusha negotiations, and the proposals submitted by their delegation, are proof of this. There are a number of women's organizations that are working actively on behalf of women and peace, although, unfortunately, their efforts are hampered by economic constraints and political prejudices.

110. The Ministry of Social Action and the Advancement of Women, together with the Association of Women Lawyers and the United Nations Development Fund for Women (UNIFEM), has launched an awareness campaign with a view to facilitating the passage of a bill on inheritance, matrimonial regimes and gifts. Without this campaign, the bill, which is indispensable if the status of women is to be enhanced, would encounter enormous difficulties, especially in rural areas. Accordingly, it would be desirable for it to be passed as soon as possible.

111. As regards the definition of legal minority, there is a disparity between Burundian law, under which the age of majority is 13, and international standards, which set the age of majority at 18. Furthermore, it is difficult for criminal-investigation police officers to estimate the age of minors in view of the fact that most minors possess no personal status documents and are illiterate. This explains why the minors detained on charges who were interviewed during the visit to Ngozi prison often stated that they were younger than the Director of the prison had said they were.

V. Recommendations

112. While reiterating the recommendations made in her initial report (see E/CN.4/2000/34, paras. 145-167), submitted to the fifty-sixth session of the Commission on Human Rights, the Special Rapporteur here wishes to make new recommendations in the hope of thereby helping to improve the human rights situation in Burundi.

A. To the parties to the conflict

113. The Special Rapporteur firmly supports the will to negotiate and seek solutions that has been demonstrated under the leadership of the mediator, Nelson Mandela, in order to halt the conflict in Burundi and congratulates the participants in the peace process for the immense progress that has already been made.

114. Since today more than ever, peace is necessary for safeguarding human rights and is the best guarantee of sustainable development in the interests of all concerned, the Special Rapporteur calls urgently on all those parties to the conflict that have been absent from the Arusha negotiations to participate in them henceforth in order to demonstrate their devotion to the cause of the peoples of Burundi.

115. The Special Rapporteur urges the parties to the conflict to respect the people's rights, beginning with

their right to life. She calls on them to respect the right of children not to be subjected to violence, and to protect them from torture and other cruel, inhumane or degrading forms of punishment or treatment.

116. She urges the belligerents to observe in full the provisions of international humanitarian law relating to the protection of children affected by armed conflict.

B. To the Burundian authorities

117. The Special Rapporteur appreciates all the measures aimed at reducing judicial irregularities and improving the human rights situation. She encourages the Government to continue its efforts to lead Burundi towards a legally constituted state.

118. She supports all efforts to eradicate impunity and to prosecute those responsible for serious violations of the standards governing the protection of human rights and international humanitarian law.

119. The Special Rapporteur is resolutely in favour of all effective measures aimed at reducing detention to the minimum length required and ensuring that family members, doctors and lawyers have access to detained persons.

120. The Special Rapporteur strongly emphasizes the need to combat the phenomenon of enforced disappearances, which seems to be persisting in the country. She reiterates to the Government that the application in its entirety of the Declaration on the Protection of All Persons from Enforced Disappearance is essential in preventing this human rights violation. She also asks it to cooperate fully with the Working Group on Enforced or Involuntary Disappearances.

121. She urges the Government to make every effort to improve the living conditions of refugees, disaster victims, returnees and displaced persons, especially women and children, in order to ensure their safety and possible resettlement and lastly to provide them with the necessary protection, assistance and training.

122. The Special Rapporteur encourages and supports all forms of action aimed at changing or enhancing the way women's roles are viewed (in terms of customs, mentality and prejudices) with a view to fostering in that way full participation by women in the development process.

123. She expects the authorities to take all measures to amend laws and alter policies, customs and traditions that are a source of violence and discrimination against women and prevent them, in particular, from owning or inheriting land, property or a dwelling.

124. The Special Rapporteur unreservedly supports all initiatives and actions aimed at the enactment and dissemination of provisions laying down equality between men and women in respect of the ownership and control of land and access thereto, and equal rights in respect of the ownership of property and decent housing, taking particularly into account the situation of single women and women who are heads of families.

125. She urges the authorities to devote particular attention to the development of a reliable health and social service system that will effectively prevent disease and malnutrition and provide optimal health care for all, especially women and children.

126. She recommends that the Government should devote particular attention to the right to education on the basis of equal opportunity, ensure that all children, especially children who live in remote rural areas and children of poor families, have access to primary education, and make secondary and higher education accessible to all.

127. She urges the Government to devote particular attention to street children and children that have been displaced within their own country, who are particularly exposed to the risks of being enlisted into armed groups, sexual violence, mistreatment or exploitation.

128. She requests the Government to ensure that any child suspected or convicted of having committed a criminal offence should be treated with dignity in accordance with obligations under the Convention on the Rights of the Child and other international human rights instruments.

129. In view of the indivisible, interdependent nature of human rights, the Special Rapporteur recommends heightened surveillance and more effective implementation of the provisions relating to economic, social and cultural rights.

C. To the international community

130. The Special Rapporteur supports the Secretary-General, the General Assembly, the Security Council,

the Secretariat and the various United Nations institutions, as well as non-governmental organizations, in their efforts to enhance protection of civilians and, more particularly, the most vulnerable groups, including children, women and the elderly, who are suffering as a result of the armed conflicts in Burundi and the Great Lakes region.

131. She extends her thanks to the national and international associations concerned for their tireless work in the area of the legal system and humanitarian action, which has helped to alleviate the plight of victims and persons in custody.

132. The Special Rapporteur wishes to make it clear that all those involved in the Arusha process have staked their credibility on the negotiations. Accordingly, she urgently requests the international community to use all its influence to persuade the parties to the conflict that have not yet become participants in the negotiations to do so in order to give Burundi a better chance of achieving genuine peace. She urges the international community to bring pressure to bear on all the belligerents so that hostilities may be brought to an end as soon as possible.

133. She calls upon the international community to provide for and mobilize the material and human resources required under the disarmament, demobilization and reintegration measures that will follow the signing and implementation of the peace agreements, while taking into consideration the subregional aspect and devoting particular attention to the specific problem of child soldiers.

134. She encourages the international community to make even greater efforts to develop socio-economic programmes and projects and secure the sustained flow of resources that will be indispensable for further reconstruction activities, thereby creating the conditions necessary for sustainable development and avoiding the prospect of an unstable peace that would be likely to plunge the country into renewed violence.

135. She encourages the establishment and strengthening of prevention, observation and monitoring mechanisms in order to avoid an escalation of the conflict and thereby restore peace in Burundi.

136. She recommends the strengthening of humanitarian action in order to respond more effectively to the assistance needs of victims and poverty-stricken people and contribute to the return of a measure of stability and greater respect for human rights, thereby promoting national reconciliation.

137. The Special Rapporteur would like to see the international community display greater awareness of the enormous danger arising from the HIV/AIDS virus and its consequences, which, together with the civil war, are jeopardizing Burundi's stability. She invites the international community to work more actively to combat this scourge, in particular by helping to make care available for the majority of those infected.

138. The Special Rapporteur wishes to place particular emphasis on the need to involve women in the peace process, and asks the international community to make every effort to ensure that women are full participants in political and economic decision-making structures, and that the contributions which they make within their families and communities are put to good use in order to promote a culture of peace and reconciliation.

139. The Special Rapporteur asks for urgent national and international action at all levels to combat extreme poverty and social exclusion, whose spread may lead to continued instability that could weaken the peace process and impede peaceful coexistence. Particular attention should be devoted to the situation of women and children, who are affected the most by this phenomenon.

140. At this juncture, before a peace agreement has been signed, the Special Rapporteur recommends that donors should increase their assistance to OHCDHB in order to ensure that the Office has a substantial budget enabling it, particularly by recruiting staff and extending its operations, to increase its monitoring, legal assistance and human rights promotion activities.

D. Special message

141. The Special Rapporteur expresses her particular support for the people of Burundi, both those inside and those outside the country, who have suffered from war and the consequences of war for many years. She urges them to mobilize all their energy to restore peace to Burundi, and to resist with all their strength whatever might constitute a source of further division.

Notes

[1] See "Overview of the humanitarian situation in Burundi", Burundi, June 2000; World Health Organization (WHO): "Survey of the situation of violence against displaced women in Burundi", May 1998; and United Nations Development Programme, "Key human development indicators", Burundi, September 1999.

[2] It should be noted that an arrest can involve more than three persons.

[3] Burundi, Ministry of Social Action and Advancement of Women: Sectoral Policy of the Ministry.

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Situation of human rights in Myanmar

Note by the Secretary-General**

The Secretary-General has the honour to transmit to the members of the General Assembly the interim report prepared by Rajsoomer Lallah, Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar, in accordance with Commission resolution 2000/23 and Economic and Social Council decision 2000/255.

* A/55/150 and Corr.1 and 2.

** In accordance with General Assembly resolution 54/248, sect. C, para. 1, the present report is being submitted on 22 August 2000 so as to include as much updated information as possible.

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Interim report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar

Summary

The present interim report takes account of the situation as of 31 July 2000 and should be read together with the report of the Special Rapporteur submitted to the Commission on Human Rights at its fifty-sixth session (E/CN.4/2000/38). The Special Rapporteur has not so far been authorized to visit Myanmar.

The suppression of the exercise of political rights, freedom of thought, expression, association and movement continues unabated and is especially targeted against the National League for Democracy and other opposition minority groups.

Torture and other forms of inhuman treatment, including arbitrary detention and long terms of imprisonment of political opponents, continue.

The International Committee of the Red Cross is able to visit a number of prisons and places of detention.

The administration of justice is marked by a lack of judicial independence, the absence of security of tenure of judges, the non-observance of basic due process guarantees, trials in camera, the absence of access to legal representation and the routine application of repressive laws which are themselves violative of international norms.

The economy is in a very weak state, characterized by extreme poverty, lack of food security, especially in rural areas, and unsatisfactorily low levels of budgetary allocation in the areas of health, education and welfare of women and children.

No satisfactory measures have to date been taken to outlaw forced labour and its practice. It is feared that the International Labour Organization may take measures involving sanctions if the situation is not remedied.

Forced relocation in the minority areas still continues, entailing violence, including killings, rape, torture and inhuman treatment of civilians in the implementation of a counter-insurgency strategy.

The Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child have welcomed the cooperation of Myanmar in submitting the reports required under the two related Conventions and in engaging in a dialogue with these Committees. A number of concerns in various areas affecting the lives and well-being of women and children have been identified by these Committees and recommendations have been made, which remain to be implemented.

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I. Introduction

1. The present interim report is submitted pursuant to paragraph 10 (a) of Commission on Human Rights resolution 2000/23 of 18 April 2000.

2. In that resolution, the Commission on Human Rights has once again urged the Government of Myanmar to cooperate fully and without further delay with the Special Rapporteur to allow him urgently, without preconditions, to conduct a field mission and to establish direct contacts with the Government and all other relevant sectors of society.

3. The Special Rapporteur regrets that, despite the repeated requests of the General Assembly and the Commission on Human Rights in this regard and the frequent indications of the Government to give serious consideration to a visit of the Special Rapporteur, no authorization has so far been given by the Government for such a visit. The Special Rapporteur expresses the hope that the Government will take concrete steps towards establishing cooperation with him in the discharge of his mandate.

4. The Special Rapporteur welcomes the appointment of the Secretary-General's Special Envoy to Myanmar and expresses the hope that the Government will cooperate fully with him in the discharge of his functions.

5. The present interim report concerns information received by the Special Rapporteur as of 31 July 2000 and should be read in conjunction with his most recent report to the Commission, dated 24 January 2000 (E/CN.4/2000/38).

II. Exercise of civil and political rights

A. Measures adversely affecting democratic governance

6. In his report to the Commission on Human Rights at its fifty-sixth session, the Special Rapporteur continued to examine the Myanmar Government's treatment of opposition political parties and their members. He took note of the intensive harassment and intimidation campaign against members of the National League for Democracy (NLD), aimed at coercing individual members to tender their resignations. He further noted the restrictions and close surveillance of the NLD leadership and various measures taken to hamper the party's proper functioning, including forcible closures of a number of its branches. In addition to actions taken against NLD, the Special Rapporteur observed a similar pattern of restrictions and pressure against ethnic opposition parties, such as the Mon National Democratic Front, the Zomi National Congress and the Shan National League for Democracy.

7. The Special Rapporteur continues to receive persistent reports of Government policies and directives aimed at the elimination of NLD through intimidation, threats, coercion and charges of a political character against its members, particularly since April 2000. Members of the Parliament elected in 1990 continue to be arrested, detained or sentenced under an arsenal of laws, such as the Emergency Provision Act, the State Protection Act, the Official Secrets Act, the Printers and Publishers Registration Act and the Unlawful Associations Act, all designed to implement a campaign of political oppression. Arbitrary arrests and detention of NLD members and sympathizers, combined with the extension of prison terms for those who have already served their sentence, make up a general and consistent pattern of the suppression of fundamental rights to democratic governance pursuant to universal norms.

8. Local military intelligence units, military-backed organizations and similar authorities reportedly persecute members of NLD and continue to be resorted to in order to obtain their resignation as members of their party. The Union Solidarity and Development Association, a government-run organization, has reportedly engaged in attacks, particularly on NLD members. According to reports received by the Special Rapporteur, a directive was issued in March 2000 to all police units to use all means necessary to eliminate NLD by the end of the year. Similar systematic efforts have already been reported upon in previous years.

9. According to information received, the authorities continue to organize meetings, mass rallies and petitions forcing citizens to denounce elected members of Parliament or to call for the dissolution of NLD. The state-controlled media participate in these campaigns by publicizing resignations of NLD members and engaging in the campaign of hostility particularly towards NLD and its leadership.

10. The authorities are reported to continue limiting or else prohibiting public assembly; NLD offices continue to be shut down and meetings held in support of NLD or its leadership continue to be consistently banned.

11. Between April and May 2000, some 500 members of NLD, including its Youth Wing, are reported to have been arrested and imprisoned. In several instances, it was not clear whether the detainees had been formally charged or whether their families were given access to them.

12. The Special Rapporteur wishes to observe that the political opposition has shown itself over the years to be a movement of peace, overwhelmingly legitimized by the generality of the people in Myanmar in the general elections of 1990. In this connection, he wishes to recall the observation made in paragraph 15 of his last report (E/CN.4/2000/38) to the Commission on Human Rights, namely, that the Government should seek to redeem the pledge it made in Declaration 1/1990 (see A/51/466, paras. 23-29 and annex) by engaging in a dialogue with the opposition that is meaningful and representative of all ethnic groups. In this way, the Government would best respond to the wishes of the General Assembly and the Commission, bring to an end the hostile policy it has so far adopted against its own people, achieve national reconciliation and enable Myanmar to fulfil its obligations under the Charter towards the community of nations, in particular towards all its neighbours in the region, some of whom are burdened with a flow of refugees and other displaced persons when they are themselves facing difficult times.

B. Torture and other forms of inhuman treatment

13. The Special Rapporteur has received information that torture and other forms of ill-treatment of detainees occur in a systematic and widespread manner in Military Intelligence interrogation centres and certain prisons. Torture or other forms of inhuman treatment of political detainees are believed to be routine, especially during initial interrogation. Convicted prisoners are also reported to be subjected to torture and to other forms of cruel, inhuman or degrading treatment for breaches of prison regulations.

14. The Special Rapporteur continues to receive information that torture takes place within the context of counter-insurgency activities against armed ethnic minority opposition groups. Ethnic minority civilians are reportedly at particular risk of torture by the military, which associates them automatically with insurgents. Forcible relocations accompanied by grave human rights violations, including rape and torture, are part of counter-insurgency activities, particularly in Kayin, Kayah and Shan states.

15. Women, particularly members of ethnic minorities, continue to be subject to torture, rape or inhuman treatment by the military, especially in the context of forcible relocations and forced labour. The perpetrators are reported to benefit from impunity.

16. The Special Rapporteur has received detailed information concerning the case of Ko Thein Lwin, member of the NLD Youth Wing, who was reportedly tortured for some 15 days during his detention in a Navy Military Intelligence office following his arrest on 6 September 1999 because of his alleged involvement in the so-called 9999 operation, although no formal charges appear to have been made. He is reported to have been subjected to continuous physical abuse by his interrogators, such as kicks and fist blows, as well as other forms of ill-treatment and torture, including the dropping of hot candle wax on his back. He was reportedly transferred to Insein prison on 21 September 1999 and then to an unidentified location, before being released on 5 June 2000.

C. Arbitrary detention

17. The Special Rapporteur has received allegations about a number of cases of arbitrary detention, including that of U Kaythara, arrested in 1996, who was reportedly sentenced to seven years' imprisonment on 15 August 1996 for displaying a poster calling for political discussion between the State Peace and Development Council (SPDC) and NLD, but it is not known under which legislation he was charged.

18. U Than Chaun, of Shwe-Goo Township in Kachin state, was reportedly arrested on 18 December 1999, allegedly for tuning his radio to a Voice Of America programme. On 19 January 2000, he was apparently sentenced to two years' imprisonment under article 505(B) of the criminal code of Myanmar, following a trial during which he reportedly had no access to legal

representation. He is also believed to have a potentially life-threatening medical condition. The Working Group on Arbitrary Detention has transmitted urgent appeals to the Government of Myanmar concerning a number of cases, none of which have been answered to date.

19. James Mawdsley, a British and Australian citizen, was arrested in Tachilek on 31 August 1999, reportedly without an arrest warrant. He was denied access to legal advice or representation during the trial that was held within hours of arrest. He was sentenced to 12 years' imprisonment. An earlier sentence of five years resulting from a previous conviction was subsequently reinstated, bringing the total to 17 years. He is currently believed to be held in solitary confinement at Kengtung Prison.

20. Kyaw Aung, Kyaw Min Htun, Pyo Wai and Maung Saw were reportedly arrested by Military Intelligence officers at their homes in Pegu on 2 August 1999, allegedly in connection with their political activities. It is not known whether they were formally charged with a criminal offence, whether they had access to members of their family or to any legal representation.

D. Prison conditions

21. The International Committee of the Red Cross (ICRC) continues to have access to a number of places of detention in Myanmar, including jails, so-called "guest houses" and labour camps. It is a matter of satisfaction that SPDC cooperation with ICRC has resumed and that ICRC is able to operate in accordance with its own procedures. It is to be hoped that ICRC, which works independently, will be able to intensify its efforts throughout the country, including so-called Military Intelligence centres, where systematic physical and psychological abuse, including torture, have often been reported.

22. As is well known, ICRC operates under rules of confidentiality which the Special Rapporteur must strictly respect. Consequently, the Special Rapporteur has relied on other reports in connection with all the cases mentioned below.

23. According to several reports, harsh conditions of detention in several prisons and other places of detention continue to exist. Examples of harsh conditions of detention include cruel and degrading treatment, lack of medical assistance, inadequate diet, extended solitary confinement and detention in tiny cells meant for dogs.

24. Daw San San Nwe, a journalist and writer arrested in August 1994, allegedly for passing information to foreign journalists, was sentenced to 10 years' imprisonment and is reported to be currently held in Insein Prison. She is said to be in very poor health, suffering from high blood pressure, heart problems and paralysis on the right side of the body. U Myo Htun, a businessman arrested for his contribution to a written history of the student movement and sentenced to 10 years' imprisonment in March 1998, is reported to have been severely beaten and is being held in Myingyan Prison in poor health.

25. Ma Khin Khin Leh, born in 1966, who was referred to in the Special Rapporteur's last interim report to the General Assembly (see A/54/440, para. 8), was reportedly arrested in Bago in July 1999 and sentenced to life imprisonment on 3 December 1999, allegedly in connection with her husband's political activities. She was allegedly tortured during interrogation, and is believed to be suffering from a lung disease. After several initial transfers, she was moved from Insein Prison to an unknown location in January 2000. Moe Kalayar Oo was arrested on 20 February 1995 along with more than 50 other people who had attended the funeral of former Prime Minister U Nu, and was sentenced to seven years' imprisonment. She was initially detained and held in solitary confinement in Insein Prison for complaining about the denial of medication. She is believed to be currently detained in Thayawaddy Prison, Bago division, in poor health. Khin Zaw Win, arrested in 1994, was allegedly severely tortured in early 1996. He is believed to be currently held in poor health in Myitkyian Prison.

26. Detention conditions remain a matter of concern, particularly in the case of political prisoners, who appear to be subjected to the harshest prison regime.

E. Administration of justice

27. In his report to the Commission on Human Rights at its fifty-sixth session (see E/CN.4/2000/38, paras. 18-29), the Special Rapporteur analysed the law and practice governing the administration of justice. He noted that the administration of justice is greatly marked by legal and factual constraints inconsistent

with judicial independence. Not only are the courts not independent but they are also powerless in protecting the rights of victims of violations of their basic rights. The lack of full respect for due process, judicial control over detention or absence of an effective remedy and a culture of impunity for transgressions by officials are some of the effects of a judicial system which is effectively used as an instrument of oppression.

28. The Special Rapporteur has received no information to suggest that the administration of justice has improved or that repressive laws inherited from colonial times are no longer resorted to, and they remain part of the legal armoury devised over the last decade to suppress public freedoms of expression, movement associations on the exercise of democratic rights. These rights are taken for granted in a free society in accordance with generally accepted international norms consecrated in the Universal Declaration of Human Rights and more specifically spelt out in the International Covenant on Civil and Political Rights.

29. Procedural problems in the administration of justice include entire cases of proceedings being conducted in camera, keeping the family and the counsel of the accused ignorant of the sentence passed or failing to inform the accused of the provisions of the law under which they have been charged. Arbitrary sentencing by the military intelligence at the time of arrest remains an alarming phenomenon.

III. Exercise of economic, social and cultural rights

A. Right to health

30. The Special Rapporteur wishes to draw particular attention to chapter III of his latest report to the Commission on Human Rights (E/CN.4/2000/38), which dealt with the situation in Myanmar affecting economic, social and cultural rights. In particular, he highlighted problems arising from poverty, lack of food security, the human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) epidemic, education and forced labour. The Special Rapporteur only wishes to add some relevant information affecting, in particular, the last three aspects of the problem.

31. As reflected in the Special Rapporteur's previous report, some of the major causes adversely affecting health involve insufficient allocation of public resources (0.2 per cent of gross domestic product (GDP) according to the *Human Development Report 2000*), lack of initiative in prevention work and a history of non-recognition of major threats to health, such as the spread of HIV infection and intravenous drug use.

32. The World Health Organization (WHO) *World Health Report 2000: Health Systems — Improving Performance* ranks Myanmar's overall performance at second-to-last: 190th out of 191 States. In general, the report reveals the link between good governance and the health of populations, by pointing out government responsibility for stewardship of national resources for the benefit of their people, noting that stewardship in health is the very essence of good government since it means establishing the best and the fairest health system possible, and includes exerting influence through regulation and advocacy, and collecting and using information.

33. The Government's policies in health still appear to be indecisive and inadequate. Whereas the representative of the Government, introducing the initial report to the Committee on the Elimination of Discrimination against Women in January 2000, claimed that the fight against AIDS and the spreading of HIV infection was a top priority, Lieutenant General Khin Nyunt, speaking in the same month, would appear to have claimed otherwise. He is reported to have stated that traditional cultural values and moderation were sufficient measures, and to have dismissed the idea of an AIDS pandemic as politically motivated dissident propaganda. Another area of significant inadequacy relates to universal health care. According to WHO, publicly funded medical care is approximately one third to one fourth the size of private medical care in terms of financing, clearly indicating wide inequality of access to adequate health care, both preventive and curative.

34. As noted in the Special Rapporteur's most recent report to the Commission on Human Rights, conservative Joint United Nations Programme on HIV/AIDS estimates put the number of adults and children living with HIV/AIDS at the end of 1999 at 530,000, up 20 per cent from 440,000 two years earlier; 180,000 of those infected are said to be women and 14,000 children. The estimated percentage of infected adults is 1.99. Very little work is said to be done on prevention and raising awareness among the

segments of population who are most at risk (sex and migrant workers, drug users). Worse still, according to various credible sources, the Government exerts pressure on the health service to under-report the number of cases of HIV infections and AIDS-related illnesses. As in the case of the right to food, not only does such denial and suppression of accurate information reveal the regime's insensitivity in the allocation of resources in the area of health, in the face of countless deaths and unnecessary suffering among the population, but also certain government policies, such as the de facto criminalization of the possession of hypodermic needles or of condoms by women, appear to countermand efforts to introduce safe practices for the prevention of HIV infection.

35. According to various credible reports, Myanmar is the world's second largest producer of heroin and one of the major producers of other narcotics. One study published in the January 2000 edition of *AIDS*, the International AIDS Society journal, links the outbreaks of injecting drug use and consequent HIV infection to major overland drug trafficking routes in Myanmar and neighbouring countries. The study calls for a coordinated regional narcotic and HIV suppression programme, and a change in policies that hamper prevention and treatment work.

B. Right to education

36. According to the UNDP *Human Development Report 2000*, Myanmar spends only 1.2 per cent of its GDP on education, one of only 11 countries in the world to spend less than 2 per cent. Although nominally available to all, public education is costly in terms of school fees, books and classroom facilities. Parents are often required to build or maintain school buildings. Moreover, widespread reports allege that bribery is frequently required to be paid to school authorities. Fees for the annual attendance of ordinary schools are said to range from three to five months' salary. Universities and the better schools are only accessible to the wealthy ruling elite. According to the 1999 World Bank report, *Mynamar: An Economic and Social Assessment*, most children from poor families drop out of school before completing the compulsory five-year cycle for lack of funds or to look for work (36 and 27 per cent, respectively). The Committee on the Rights of the Child expressed its concern in 1997 about the high dropout and repetition rates, as well as about the lack of resources in vocational training. However, one encouraging development is that a project launched by the United Nations Children's Fund (UNICEF) together with the Department of Basic Education appears to have yielded some improvement in child attendance and a fall in dropout rates.

37. The under-funded education system is also reported to be under severe ideological pressure by the military regime. The Special Rapporteur has received credible reports that teachers and other civil servants are subjected to a compulsory 33-question test, the aim of which is to determine their political leanings and by extension their prospects in the service. Students are reportedly under pressure to join the government-controlled Union Solidarity and Development Association.

38. Higher schools and universities have been closed for substantive periods of time since 1990. However, most recent reports indicate that about 30 universities, which had been closed since 1996, are to be opened imminently for up to 60,000 students in relocated university campuses which have been dispersed around Yangon's suburbs to prevent the organization of dissent and public protest.

C. Forced labour

39. In previous reports to the General Assembly and the Commission on Human Rights, the Special Rapporteur gave an account of developments following the International Labour Organization (ILO) Commission of Inquiry report of July 1998. It will be recalled that the report concluded that the obligation to suppress the use of forced or compulsory labour is violated in Myanmar in national law as well as in actual practice in a widespread and systematic manner, with total disregard for the human dignity, safety, health and basic needs of the people. At its 276th session, held in November 1999, the ILO Governing Body, discussed measures to secure compliance by the Government of Myanmar with the recommendations of the Commission of Inquiry established to examine the observance of the 1930 Forced Labour Convention, and decided to pursue the matter at the June 2000 International Labour Conference.

40. An ILO technical cooperation mission was conducted between 22 and 27 May 2000 in order to secure the implementation of the Commission of

Inquiry's recommendations by means of changes in the legislation and the establishment of a credible follow-up mechanism. Its aim was also to subsequently report to the Conference on the measures that the Government intended to take in that respect. In its concluding remarks, the report of the mission stated that first, the mission believed that the Commission of Inquiry's recommendations could be satisfied in a coherent and practical way if a comprehensive framework of legislative, executive, and administrative measures were adopted:

(a) Rendering all practices constituting forced labour in the sense of ILO Convention No. 29 illegal under national law, and ensuring that all legislative provisions in force that permitted the imposition of forced labour were repealed or appropriately amended;

(b) Giving specific instructions to the state authorities, notably to the responsible military authorities, regarding the consequences to be drawn from the above as regards the various forms of work mentioned in the Commission's report, and monitoring their application, so that in practice no forced or compulsory labour was imposed by any authority;

(c) Informing the entire population adequately and completely about the above measures as well as the penalties applicable pursuant to section 374 of the Penal Code to all those imposing forced labour, and taking concrete action to ensure that those penalties were strictly applied in practice.

Second, as the Myanmar authorities were informed by the mission, the ILO could certainly help formulate and implement such a framework if the Government's commitment to take expeditious action to this effect was made sufficiently clear in the eyes of the International Labour Conference.

41. In a letter to members of the technical cooperation mission, dated 27 May 2000, Myanmar's Minister of Labour, Major General Tin Ngwe, wrote that the Government had taken and was taking the necessary measures to ensure that there were no instances of forced labour in Myanmar. He also wrote that Myanmar would take into consideration appropriate measures, including administrative, executive and legislative measures, to ensure the prevention of such occurrences in the future.

42. On 14 June 2000, considering that the factual situation concerning forced labour had remained unchanged, the International Labour Conference resolved to take action to bring about Myanmar's compliance with ILO Convention No. 29 on forced labour.

43. Under the terms of the resolution, a series of measures would take effect on 30 November 2000 unless, before that date, the Governing Body of the ILO is satisfied that the intentions expressed by the Minister of Labour have been translated into a framework of legislative, executive and administrative measures that are sufficiently concrete and detailed to demonstrate that the recommendations of the Commission of Inquiry have been satisfied. The measures include recommending to ILO members that they review their relations with the Government of Myanmar and ensure that it cannot take advantage of such relations to continue the practice of forced labour; calling on international organizations cooperating with the ILO to review any cooperation they may have with the Government of Myanmar and to cease any activity which could directly or indirectly abet the practice of forced labour; and calling on the Economic and Social Council and the General Assembly to make similar recommendations to Governments and specialized agencies.

44. The ILO Director-General has indicated that he is hopeful that Myanmar will grasp the opportunity offered by the Conference decision. The Special Rapporteur joins him in this hope.

IV. Vulnerable groups

A. Women

45. In his previous report, the Special Rapporteur reviewed the status of women, especially in respect of sexual violence, torture, arbitrary detention, forced labour and trafficking in persons. Those violations not only affect the lives of individual women victims of violence and abuse but also have a detrimental effect on their children, families and communities. The fact that much of this violence frequently goes unreported, unpunished and unacknowledged by the Myanmar authorities also effectively perpetuates the culture of violence, lawlessness and impunity, especially in the ethnic areas.

46. Myanmar ratified the Convention on the Elimination of All Forms of Discrimination against

Women in 1987, established a national committee on women's affairs and initiated the drafting of a national plan of action for the advancement of women in the same year. It presented its initial report to the Committee on the Elimination of Discrimination against Women, and the Committee considered it in January 2000. The Committee expressed its appreciation to the Government for engaging in a constructive dialogue. It expressed its concerns in a number of specific areas, however, including the lack of funding of the national committee, the violation of the rights of women members of ethnic groups, violations by military personnel, the plight of women in custody (particularly in respect of sexual and other custodial violence), the lack of measures to ensure the equal participation of women in open and pluralistic society, and restricted access to certain courses in higher education. The Committee called on the Government to prosecute perpetrators of violations of human rights of women and to provide gender-sensitization training to the military. It further recommended that the provisions of the Convention be incorporated in domestic law and include a definition of "sex discrimination".

47. The Special Rapporteur on violence against women, its causes and consequences, in her 1999 report to the Commission on Human Rights (E/CN.4/1999/68), expressed her regret that the Government appeared to deny that domestic violence was a problem in the country, and that there was no indication of specific measures to address the issue. She concluded that official denial of the existence of the problem might serve as an obstacle to victims reporting of such violence, which in turn might perpetuate the culture of denial. She has not yet received the Government's response regarding the cases of Naw May Oo Paw, the wives of Bo Pha Palaw Pho and Bo Kyaw Hair, or Nam Nu and Mugha Lwee Paw, all of whom were referred to in paragraph 56 of the above-mentioned report.

B. Children

48. Myanmar became a State party to the Convention on the Rights of the Child on 15 July 1991, and its second periodic report has now been overdue for two years. The Committee on the Rights of the Child, in its 1997 concluding observations on Myanmar, had expressed concern about the compatibility of Myanmar's domestic legislation with the Convention. The principal concerns of the Committee related to the Citizenship Act, the Village and Towns Acts, and the Whipping Act, regarding the laws relating to freedom of expression and association, child labour and juvenile justice. It also found that the age of criminal responsibility, at seven years of age, was too low, and that torture was not clearly prohibited by existing legislation. The Committee has not yet received information from the Government whether any of the recommendations have been implemented in national legislation.

49. Myanmar is reportedly a State with one of the highest numbers of child soldiers in the world. Both the national army and non-state ethnic and other armed groups are believed to be involved in often-coerced recruitment of children. Street children, orphans and children belonging to ethnic minorities are believed to be the most vulnerable. Unofficial estimates put the number of child soldiers at some 50,000, the highest in any country in the world.

50. Violence against children is reportedly on the increase, especially in rural ethnic minority areas. The Special Rapporteur continues to receive information on incidents of wilful killing, torture, trafficking and forced labour of children.

51. Food deprivation, repeated illness, lack or absence of health care, and death or forced relocation of parents appear to be some of the major causes of the phenomenon of the stunted growth of children. According to the UNICEF report, *The Progress of Nations 2000*, 45 per cent of Myanmar children under five are stunted in growth, and according to WHO 39 per cent are underweight; according to UNICEF, 1.7 per cent of girls and 1 per cent of boys between the ages of 15 and 24 are HIV positive.

C. Displaced persons and refugees

52. As pointed out in the Special Rapporteur's earlier reports, one of Myanmar's key indicators of the grave human rights situation is the number of its refugees and internally displaced persons. Some 500,000 refugees or other displaced persons of Myanmar origin are believed to be seeking temporary protection in neighbouring countries, such as India, Bangladesh and Thailand. Between 500,000 and one million are also reportedly displaced internally. Independent monitoring

or assistance to internally displaced persons has not so far been authorized. It is hoped that the Government will build upon its May 1999 agreement with the International Committee of the Red Cross to allow greater access in the field.

D. Ethnic minorities

53. Among the minority groups, the Shan, Karen, Karenni and Rohingya in particular continue to be the target of indiscriminate violence whether they are civilians or insurgents. The most frequently observed human rights violations involve extortion, rape, torture and other forms of ill-treatment, forced labour and portering, arbitrary arrests and long-term imprisonment, forcible relocation and in some cases, extrajudicial executions — all perpetrated by the military authorities within the context of counter-insurgency activities against armed ethnic minority opposition groups. No visible improvement was observed in the period under review despite repeated calls to the Government to take meaningful steps to improve the situation.

54. The Military Intelligence units appear to use torture and arbitrary detention, as well as sexual violence against women, in the course of their work. Regular military units are frequently reported to perpetrate extrajudicial executions, especially within the context of forced portering. The widespread campaign of forcible relocations continues in the Kayin, Kayah and Shan states. Once relocated, the people are reportedly forced to remain on the relocation sites in often health-threatening conditions, which include overcrowding and lack of food, sanitation and safe drinking water. The military also often restrict residents' freedom of movement to a set radius outside the camp. The relocated population is threatened not to leave the radius or return to their places of origin on pain of execution. Relocations are often accompanied by violence, especially against women, looting and extortion by the military. The observed pattern of forced relocations amounts to a premeditated destruction of a way of life, and is condemned in the strongest terms.

55. The Special Rapporteur has received a number of convergent credible reports of a series of massacres in Kunhing township (Shan state) in which over 100 Shan and hill tribes people were killed in the months of January, February and May of 2000, including 19 people who had returned to their deserted village and were reportedly killed by troops of Infantry Battalion 66 at Kaeng Kham village on 30 January. On 23 May, Infantry Battalion 246 reportedly shot 64 Shan and hill tribe villagers dead while they were working in the fields near Kunhing town. In another case, Lung Ti, a 40-year-old rice farmer, Su Nan Ta, his 11-year-old son, and Ei Su, his 18-year-old daughter, were reportedly killed by troops from Kunhing Township after returning clandestinely to their former village of Nong Hai. The farmer was reportedly shot dead in his hut and the children were found decapitated.

56. The Special Rapporteur has at the last moment also received reports of, among other complaints, a number of killings, rapes, disappearances, forced labour, forced relocation and extortion by members of the border security force (Na Sa Ka) and SPDC soldiers in Arakan state. The Special Rapporteur will follow this up in his next report to the Commission on Human Rights.

V. Conclusions and recommendations

57. The Special Rapporteur has noted the submission of Myanmar's initial report pursuant to its obligations under the Convention on the Elimination of All Forms of Discrimination against Women. He wishes to renew his recommendation to the Government to consider adopting other international instruments and to incorporate them in domestic law. He also encourages the repeal of discriminatory provisions in the Citizenship Act, and the repeal of all decrees and orders criminalizing the exercise of freedom of thought and expression, freedom of association and movement, and freedom to exercise political and democratic rights in accordance with international norms.

58. The Special Rapporteur follows with great interest the developments stemming from the 1998 ILO Commission of Inquiry into practices of forced labour. He wishes to highlight the opportunity that has thus presented itself to the Government to avail itself of technical cooperation assistance in the implementation of the ILO recommendations and to implement concrete legal, executive and administrative measures to eradicate the practice of forced labour.

59. The Special Rapporteur notes with deep concern the continuing deterioration of the human rights situation in Myanmar since his last report. The

suppression of all opposition political activity, inhuman treatment towards members of the opposition and ethnic minorities, and the absence of respect and protection for the liberty, health, education and human development of its population remain matters of grave concern, and urgent and meaningful measures to halt and reverse the downward spiral of this situation are called for. In this connection, the Special Rapporteur wishes to draw attention to the recommendations made in paragraphs 80 to 83 of his 1999 report to the Commission on Human Rights (E/CN.4/1999/35) and paragraphs 50 to 55 of his last interim report to the General Assembly (A/54/440).

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United Nations Decade for Human Rights Education (1995-2004)

Note by the Secretary-General**

The Secretary-General has the honour to transmit to the members of the General Assembly the report of the United Nations High Commissioner for Human Rights on the mid-term global evaluation of the progress made towards the achievement of the objectives of the United Nations Decade for Human Rights Education (1995-2004), submitted in accordance with Assembly resolution 54/161 of 17 December 1999.

* A/55/150 and Corr.1 and 2.

** In accordance with General Assembly resolution 54/248, sect. C, para. 1, this report is being submitted on 7 September 2000 so as to include as much updated information as possible.

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Report of the United Nations High Commissioner for Human Rights on the mid-term global evaluation of the progress made towards the achievement of the objectives of the United Nations Decade for Human Rights Education (1995-2004)

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I. Introduction

A. Background information

1. In 2000, the United Nations Decade for Human Rights Education (1995-2004) entered its sixth year. According to the international Plan of Action for the Decade, and pursuant to General Assembly resolution 54/161 of 17 December 1999, the Office of the United Nations High Commissioner for Human Rights has undertaken, in cooperation with all other principal actors, a mid-term global evaluation of the progress made in the first five years of the Decade towards the achievement of its objectives. The findings of that evaluation are presented in the present report. In accordance with paragraph 24 of the Plan of Action for the Decade (A/51/506/Add.1, appendix), the evaluation was to take into account all available information on what had been accomplished at the international, regional, national and local levels, identify remaining shortcomings and needs, and make recommendations for action during the five remaining years of the Decade.

B. Mid-term global evaluation process

2. In April 2000, the Office of the High Commissioner and the United Nations Educational, Scientific and Cultural Organization (UNESCO) launched a worldwide survey on human rights education by addressing two questionnaires[1] to, respectively, Heads of Government and other principal actors (see sect. II.B below). The purpose of the survey was to take stock of human rights education programmes, materials and organizations developed and active since the launching of the Decade, and to request the principal actors to highlight human rights education needs, accomplishments and obstacles, and recommendations for the remainder of the Decade. In June and July 2000, follow-up activities were undertaken in order to obtain as many replies as possible to the mailing. As at 31 July 2000, 218 replies had been received; the number of replies received by region and type of institution appears in the annex to the present report. The information received through the survey on programmes, materials and organizations will be made available, through the web site of the Office of the High Commissioner, in the human rights education database which is to be launched on 11 December 2000, on the occasion of Human Rights Day (which, in this millennium year, will be devoted to human rights education).

3. Given the limitations of the information collected through the above-mentioned process, the data collection and analysis benefited also from the following:

(a) **Online forum**. The Office of the High Commissioner organized and funded the setting up of an online forum within an email network of human rights educators and other interested individuals and institutions (a human rights education listserv, managed by Human Rights Education Associates), from 11 July to 5 August 2000, in order to encourage maximum participation in the process. The agenda for discussion during the online forum included the legislative and policy framework of the Decade, main achievements and obstacles in the first half of the Decade, needs in the field of human rights education and recommendations for activities in the second half of the Decade;[2]

(b) **Expert meeting**. From 7 to August 2000, the Office of the High Commissioner held an expert meeting at Geneva, which gathered some of the most active actors and experts on human rights education in order to: review the results of the global survey and of the online forum; enrich those results with the experts' experience and advice; consolidate the mid-term evaluation report; make recommendations for further action to be taken by all actors at all levels (national and local, regional, international) in the forthcoming years; and advise the Office on the strategies to adopt for the remainder of the Decade;

(c) **Information included in periodic reports prepared by the Office of the High Commissioner on the implementation of the Plan of Action**. Pre-existing information received from Governments and intergovernmental organizations, during the period from January 1995 to September 1999, in response to related notes verbales and letters signed by the High Commissioner for Human Rights and the Director-General of UNESCO, was also taken into account.[3]

4. The information contained in the present report does not fully reflect the numerous activities for human rights education currently in progress throughout the world; gathering documentation on all such activities was clearly beyond the capacity of the present review. Many institutions involved in human rights education, for a variety of reasons, have not taken part in the

review, although every effort will be made to include the experience of such institutions in the human rights education database.

C. Structure of the report

5. Section II of the present report provides a brief summary of the international framework for the Decade, as established by the General Assembly; section III analyses national experience within the framework of the Decade, by region, and provides information on cross-regional trends; section IV contains an analysis of international experience during the Decade including that of organizations of the United Nations system, other international organizations, regional organizations and non-governmental organizations, and contains information on general trends; section V presents a set of recommendations addressed to the local and national, regional and international levels; and section VI contains the conclusions reached during the mid-term evaluation of the Decade.

II. International framework for the Decade

A. Proclamation of the Decade

6. The World Conference on Human Rights in 1993 discussed at length the importance of human rights education, considering that human rights education, training and public information were essential for the promotion and achievement of stable and harmonious relations among communities and for fostering mutual understanding, tolerance and peace.[4] Accordingly, the World Conference affirmed that States should develop specific programmes and strategies for ensuring the widest human rights education and the dissemination of public information, taking particular account of the human rights needs of women,[5] and urged the proclamation of a United Nations decade for human rights education in order to promote, encourage, and focus those educational activities.[6]

7. By its resolution 49/184 of 23 December 1994,[7] the General Assembly proclaimed the United Nations Decade for Human Rights Education, while recalling the provisions of international human rights instruments (e.g., art. 26(2) of the Universal Declaration of Human Rights) which embody the obligations of States to undertake human rights education, training and public information programmes.

8. By the same resolution, the Assembly provided the basic assumption for all educational work undertaken within the framework of the Decade by affirming that human rights education should involve more than the provision of information and should constitute a comprehensive life-long process by which people at all levels in development and in all strata of society learn respect for the dignity of others and the means and methods of ensuring that respect in all societies. It also affirmed that human rights education contributed to a concept of development consistent with the dignity of women and men of all ages that takes into account the diverse segments of society such as children, indigenous peoples, minorities and disabled persons, and that each woman, man and child, to realize their full human potential, must be made aware of all their human rights — civil, cultural, economic, political and social.

B. Plan of Action for the Decade

9. In proclaiming the Decade, the General Assembly had before it the draft Plan of Action for the Decade, which was subsequently finalized one year later on the basis of the comments received by Governments, as requested by the Assembly.

10. The programme for the implementation of the Plan seeks to: (a) assess needs and formulate effective strategies for the furtherance of human rights education at the international, regional, national and local levels; (b) establish and strengthen programmes and capacities for human rights education at the international, regional, national and local levels; (c) develop in a coordinated way effective human rights education materials; (d) strengthen the role and capacity of the mass media in the furtherance of human rights education; and (e) disseminate globally the Universal Declaration of Human Rights.

11. The Plan addresses as wide an audience as possible, through both formal and non-formal education, and encourages an approach which is designed to build permanent capacity, including through the training of trainers.

12. The principal actors in the implementation of the Plan are identified in the Plan itself:[8]

(a) **At the national level**: Governments, national human rights institutions, human rights research and training institutes, non-governmental organizations, grass-roots organizations, professional associations and interested individuals;

(b) **At the international level**: United Nations human rights treaty monitoring bodies, other human rights bodies and programmes, United Nations specialized agencies, units of the Secretariat and programmes involved in human rights educational activities, and other international organizations, including intergovernmental and non-governmental organizations active in the field of human rights.

C. Structure for coordination, implementation and monitoring

International level

13. A structure for coordination, implementation and monitoring of the activities for the Decade was set out by the General Assembly in resolution 49/184, in the Plan of Action for the Decade and in the relevant resolutions adopted each year by the Assembly and the Commission on Human Rights.

14. The High Commissioner for Human Rights is entrusted with the primary responsibility for the promotion and coordination of the Plan. She reports annually, through the Secretary-General, to the General Assembly and the Commission on Human Rights on the progress made at all levels. She was also mandated to undertake the present mid-term global evaluation and to prepare a final report at the conclusion of the Decade.

15. By reason of its long experience in education and through its networks of associated schools, clubs, human rights chairs and national commissions, UNESCO is called upon to play a central role in the design, implementation and evaluation of projects under the Plan of Action, in close cooperation with the Office of the High Commissioner.

16. The Commission on Human Rights, in cooperation with Member States, human rights treaty monitoring bodies, other appropriate bodies and competent non-governmental organizations, is requested to support the efforts of the High Commissioner in coordinating the Plan of Action. Similar requests are addressed to the organizations of the United Nations system and to intergovernmental and non-governmental organizations.

17. International programmes and activities, including those of the United Nations and other organizations, donor Governments, intergovernmental organizations and non-governmental organizations, are called upon to support national and local efforts in advancing the objectives of the Decade.

National level

18. At the national level, the Plan of Action envisaged the designation of national focal points for human rights education, consisting of specially constituted committees or, alternatively, appropriate existing structures and organizations. Each focal point was charged with identifying national human rights education needs and developing a national plan of action for human rights education, coordinating activities with regional and international bodies, and reporting to the High Commissioner on needs, proposals and progress made towards the realization of the goals of the Decade.

19. In order to support such national efforts, guidelines for national plans of action for human rights education (A/52/469/Add.1 and Corr.1) were developed in 1997, in consultation with human rights education experts and practitioners. The guidelines propose a strategy for the development of a comprehensive (in terms of outreach), effective (in terms of educational strategies) and sustainable (over the long term) national plan of action for human rights education. The guidelines set out a number of general principles governing such a plan (e.g., the importance for the plan to promote the interdependence, indivisibility and universality of human rights; to recognize the importance of human rights education for democracy, sustainable development, the rule of law, the environment and peace; and to encourage analysis of chronic and emerging human rights problems, which would lead to solutions consistent with human rights standards). The guidelines also set out organizational and operational principles (e.g., pluralistic representation of society, transparency of operation, public accountability and democratic participation), and principles for educational activities (e.g., respect for and appreciation of diversity of opinions, and participatory teaching and learning).

20. The guidelines propose also several steps towards a national plan of action for human rights education, including the establishment of a national committee for human rights education (a broadly based coalition of representatives of appropriate governmental and non-governmental bodies), the conduct of a baseline study or needs assessment and the development, implementation and evaluation of the plan.

III. Reviewing the first five years: national experience

21. The information in the present section, although collected on a country-by-country basis, is presented by region because the review revealed that local and national human rights education initiatives and activities tend to address both national and regional concerns, issues, needs and priorities. Moreover, such local and national initiatives have gained in strength and effectiveness as a result of regional and subregional cooperation.

22. The information contained in the responses to the questionnaires, supplemented with data from other sources, provided a coherent basis for the formulation of the recommendations presented in section V below.

23. Owing to the limited number of responses to the questionnaires and the difficulties involved in verifying the information received, and being aware of the resulting incompleteness of the picture of the efforts, achievements and shortcomings in the various regions, the review does not name countries and national entities but focuses on a comparative and conceptual analysis of the information gathered.

A. Africa

24. Twenty-seven responses to the questionnaires were received from Africa. Of the 53 Governments to which the questionnaires were addressed, 7 responded. Other responses were received from 13 non-governmental organizations, 3 national human rights institutions and 4 human rights and university institutes.

1. National entities and plans of action

25. Some Governments either created new structures or assigned the task of initiating or supporting national programmes on human rights education to existing governmental agencies. Four national committees for the Decade were established while, in other countries, ministries of justice or ministries of human rights were given the responsibility of dealing with activities related to the Decade.

26. Some governmental respondents have considered the need for a national plan of action for the Decade; two plans have been finalized while others are still in preparation. The latter group comprises both individual national plans of action for human rights education and overall national plans of action for human rights with a human rights education component.

27. Most governmental respondents indicate the involvement of various types of institutions in the development of the national plans of action or national human rights programmes. These institutions include non-governmental organizations (local and international), United Nations institutions (such as the Office of the High Commissioner, UNESCO, the United Nations Children's Fund (UNICEF) and the United Nations Development Programme (UNDP) and other international organizations (such as the International Committee of the Red Cross and the Commonwealth Secretariat).

28. Most non-governmental respondents are aware of the initiatives taken by Governments in regard to the Decade, including the creation of national committees. A few of them have lobbied Governments for the enactment of legislation supporting the creation of such committees or the development of national plans of action; some have presented related recommendations to Governments. Others participated in the activities undertaken in the context of the national plan of action. Most governmental respondents are, in turn, aware of the human rights education programmes of non-governmental organizations.

29. Among non-governmental respondents, those that either have human rights education programmes or are planning such programmes number more than those which do not have such programmes or plans.

2. Policy and legal framework

30. As legislative support for the teaching of human rights in formal education, Governments mostly cite the existence of provisions in the Constitution and in the basic law on education as legislative support. None mentions any specific legislation or policy for human rights education.

3. Implementation

31. As far as formal education is concerned, governmental respondents report that the curricula, from pre-school to secondary levels, incorporate the teaching of human rights. Human rights concepts and values are taught as part of existing subjects, such as civics, morals, history, social studies, sociology and philosophy, and there are no separate human rights subjects. The national Constitution, the Universal Declaration of Human Rights, the two International Covenants, the International Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and the African Charter on Human and Peoples' Rights are frequently cited as providing content for human rights education in schools. Governmental respondents also mention the organization of extra-curricular activities (such as UNESCO clubs). In general, there are no textbook analyses and evaluation of human rights teaching in the formal education system, but some Governments state that there are plans to carry out such evaluation along with a review of the curriculum. Some human rights education materials are reported to be available for the schools.

32. At the tertiary level, few universities have courses on human rights; the existing courses are offered mainly in the faculty of law of some universities (especially those with human rights centres).

33. Few governmental respondents have human rights education programmes for professional groups. Of these groups, members of the police, members of the armed forces, prison officials, lawyers, prosecutors, judges, foreign service personnel and a few unidentified professionals have undergone some human rights training programmes; however, pre-service programmes for those professionals and for health officials, immigration officials and journalists are very rare. For other groups, such as teachers, workers, trade union officials, employers and social workers, there are very few pre-service or in-service programmes.

34. Even fewer Governments provide human rights education programmes for other groups in need; if they do exist, such programmes are aimed (with differences by country) at women, children, the elderly, disabled persons, refugees, the internally displaced and persons with human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS), and do not address other groups, such as community leaders, minorities, migrant workers, prisoners and persons in extreme poverty.

35. Non-governmental organizations with human rights education programmes have corresponding activities and materials. They mostly provide human rights education programmes for various groups in need, and also organize general public awareness programmes. A few of them are also involved in human rights education programmes for professional groups, such as teachers and police officials; one non-governmental organization organizes subregional human rights education programmes for women who are members of Parliament, cabinet ministers and governmental policy makers. Seminars, conferences, public gatherings (such as marches and street assemblies) and competitions for specific groups constitute the major types of activities.

36. Some non-governmental organizations are collaborating with governmental institutions through joint projects and networking activities. Many non-governmental organizations are linked to intergovernmental organizations and programmes, such as the United Nations (Office of the High Commissioner), UNESCO, UNICEF, the United Nations Development Fund for Women (UNIFEM) and UNDP; they are involved in country projects and participate in conferences or workshops organized by those intergovernmental organizations, a few of which provide training programmes through their regional offices. In one case, partnership with such agencies as the United States Agency for International Development (USAID), the Danish Agency for Development Assistance (DANIDA), the Canadian International Development Agency (CIDA), the Swedish International Development Cooperation Agency (SIDA) and the British Council is also mentioned.

37. Many Governments and non-governmental organizations in the region expect intergovernmental organizations to provide financial and other support for their projects.

4. Obstacles and needs

38. Both Governments and non-governmental organizations are confronted with a number of obstacles in developing and implementing human rights education programmes.

39. Governments generally mention the need for human resources, such as documentation specialists, training experts and other appropriate personnel. Materials for activities for human rights education (teaching, learning and training materials), and information on how these materials can be obtained, are also needed. There is also mention of the need for learning methodologies appropriate to human rights education. Governments intending to develop a national plan of action for human rights education express the need for technical assistance in this regard. One Government stressed that human rights education for adults could be enhanced through partnership with trade unions.

40. Funding, and in particular a long-term funding system that would ensure the long-term impact of human rights education programmes, is cited as a need both by Governments and non-governmental organizations.

41. Non-governmental organizations express the need for more political will on the part of Governments to develop and implement national plans of action for human rights education, to undertake human rights education programmes and to enact laws supporting human rights education, in line with the goals of the Decade. They also see the need for improved partnership between Governments and non-governmental organizations in support of human rights education, and for Governments to support the use of the media to promote human rights. More active regional networking among non-governmental organizations is also needed (the Southern Africa Human Rights NGO Network is mentioned as an example).

42. A few non-governmental organizations stated that illiteracy, traditional cultures and values, political instability and, most important, poverty are obstacles to work in human rights education; one non-governmental organization stated that human rights education programmes would need to be linked to the basic needs of the final beneficiaries in order for them to be emancipating.

B. Americas

43. Forty-five responses to the questionnaires were received from the Americas. Of the 35 Governments to which the questionnaires were addressed, 7 responded but only 4 completed the questionnaires extensively, thus providing more in-depth information. Of the region's national human rights institutions, eight responded; nevertheless, it should be taken into account that four were based in the one country. One regional organization and one national commission for UNESCO responded. Non-governmental organizations provided the largest number of responses: 21 of a total of 44. Seven institutes and universities also responded.

1. National entities and plans of action

44. Very few Governments in the region have established national committees for human rights education. A number indicated that, in the forthcoming year, they would undertake the task of setting up a national committee, comprising various governmental ministries and the relevant organizations from civil society. Nevertheless, a considerable number of Governments did not indicate such an intention.

45. Of the few countries in which a national committee has been established, the ministries of education seem to be the most active actor, while other ministries, such as, for example, those for the interior or social services (which, for instance, might be responsible for the training of law enforcement officials and social workers) seem to regard the Decade as less pertinent to their functions.

46. In a number of countries in which a national committee has not been established, national human rights institutions have taken over the responsibility to coordinate and encourage the development of activities for human rights education at the national level. These institutions have often developed human rights training programmes for professional groups, including non-governmental organizations; in a small number of countries, national human rights institutions have worked in isolation and have not involved academic,

non-governmental entities and other actors from civil society.

47. Very few Governments in the region have developed national plans of action for human rights education or overall national human rights plans that include an education component. Nevertheless, various actors at the national level were implementing ad hoc or partially coordinated programmes. In the absence of proactive governmental plans, non-governmental organizations are developing a large number of local and national initiatives aimed at different target groups; in a number of countries, networks of national and local non-governmental organizations and academic institutions have been established with the objective of coordinating activities for human rights education throughout the national territory.

2. Policy and legal framework

48. A large majority of countries in the region have not devised polices pertinent to human rights education or passed laws calling for the introduction of human rights into the education of children, young people and adults. Two of the few countries that have done so, have recently undergone peace processes and have received extensive support from the United Nations, in both developing a new legal national framework which integrates human rights obligations and providing human rights education to various sectors of society.

49. In another case, the national efforts of a Government, in close collaboration with a non-governmental organization, have not only contributed to the development of policies for the introduction of human rights education across the school curricula and the development of training for the police, but have also contributed to strengthening the work of neighbouring countries by sharing the experience of developing new policies and their implementation.

3. Implementation

50. Many countries are undertaking reforms of the formal school curricula and have chosen this avenue to introduce human rights into the formal education system, including through the revision of school textbooks. Most have introduced human rights into the curricula of secondary education and, to a lesser extent, into primary and pre-school education. Most frequently, human rights learning has been integrated into all subjects, cutting across the curricula (and not limiting the teaching of human rights to one subject, such as civics or moral education).

51. The information available reveals that, compared to efforts aimed at children and young people, few efforts are aimed at institutionalizing human rights pre-service and in-service training for professionals, and adults in general. For example, only one country reported having developed a human rights training programme for the military, through the human rights office in the Ministry of Defence.

52. The range of activities implemented during the Decade is vast and has varied from the convening of conferences, seminars and public meetings and the holding of children's drawing competitions, cultural events and public marches, to the production of written or audio-visual materials in several local languages. Promotional materials (brochures, posters, stickers etc.) and publications have also been produced and disseminated.

53. The commemoration in 1998 of the fiftieth anniversary of the adoption of the Universal Declaration of Human Rights seems to have served as a catalyst for a large number of activities. In a few countries, these activities have led to the establishment of a diverse number of programmes on the part of the Government; however, these have not necessarily been translated into longer-term planning.

54. Most activities for human rights education are organized by non-governmental organizations and academic institutions. These organizations often work with different target groups, depending on the aim of their organization; the elderly, indigenous peoples, women, refugees, children and Islamic associations were specifically mentioned.

4. Obstacles and needs

55. Lack of political will, limited resources, and a lack of knowledge and understanding of human rights issues were mentioned throughout the region as major impediments to setting up lasting programmes on human rights education and training. In some countries, political instability, corruption, endemic poverty and illiteracy made the task of introducing human rights education more difficult and, at the same time, more urgent and necessary.

56. The inability of governmental agencies and non-governmental organizations to establish partnerships

was perceived as a major obstacle. However, in those countries in which this obstacle is being tackled and alliances between civil society and government are being forged, there seems to be a greater number of dynamic and growing activities for human rights education taking place. More collaboration and wider exchanges of expertise and experience are required to make better use of the resources available and to multiply efforts; mixed forums to encourage Governments, academic institutions and non-governmental organizations to seek partnerships and to develop joint efforts are also needed.

57. Broad human rights awareness campaigns to create empathy and understanding of human rights issues are needed throughout the region, in particular through the mass media.

58. There is a demand for a larger pool of resource persons who are knowledgeable in human rights issues and who are able to train others. Consequently, there is an urgent need to implement ongoing and systematic training programmes. Research on human rights education and human rights issues should complement the implementation of such training activities.

59. Overall, the respondents expressed the need for more educational materials, in particular on the methodological aspects of human rights education, on curricula development and the practical implementation of human rights by key professional groups. Materials aimed at illiterate people and marginalized groups (young and adult) are also needed. Wider and more effective distribution strategies should be devised and implemented. More attention should be paid to education about economic, social and cultural rights and the right to development.

60. The organizational development of both governmental and non-governmental entities is also seen as needing further strengthening. Training in this field should be provided as a component of programmes aimed at creating stronger educational systems and at developing more transparent and participatory organizational practices.

61. Technical advice from the Office of the High Commissioner in developing national plans of action and the expertise to implement them was requested by most respondents (Governments, national institutions and non-governmental organizations); support from the Office was also sought for the establishment of national networks of human rights educators.

62. The need for financial resources was mentioned by almost every respondent from the region. Financial sustainability is the greatest challenge for Governments, academic institutions and non-governmental organizations.

63. Evaluation tools, including indicators to measure impact at the quantitative and qualitative levels, are needed; the professionalization of evaluation expertise is also an important contribution to better planning and reporting practices. The development of evaluation tools should be combined with training programmes in key sectors so as to spread the use of such tools as widely and rapidly as possible.

C. Asia and the Pacific

64. Twenty-four responses to the questionnaires were received from Asia and the Pacific. Of the 60 Governments to which the questionnaires were addressed, 4 responded. Nine national institutions, 23 non-governmental organizations, 12 human rights institutes and universities, 3 national commissions for UNESCO and one governmental institution constitute the remainder of the responses.

1. National entities and plans of action

65. A number of countries in Asia and the Pacific have taken steps to create legal and institutional support for the Decade. Four countries have established national committees for human rights education. Other countries have designated other institutions as lead agencies, such as ministries of justice, ministries of education and national human rights institutions. The existence of national committees or lead agencies was not necessarily linked to the elaboration of a national plan of action for human rights education. Only two countries are reported to have adopted such plans; one country with a national committee is still in the process of drafting a plan.

66. The existing and planned national committees have varying degrees of involvement of the non-governmental sector. The only Government that sent information on the composition of its national committee reports adequate non-governmental representation (6 of the total membership of 14) and gender representation (5 members are women). In another national committee, representatives of the

business sector and community organizations are reported to be members.

67. Several countries are still drafting national plans of action. Some mention the support given by intergovernmental organizations, such as the International Labour Organization (ILO), UNESCO and UNDP, in drafting national plans of action. One country has not only adopted a national plan of action but also 26 local government plans of action; local committees were set up in 32 provinces, and they promote related activities independent of those of the central government.

68. In most countries, non-governmental organizations are not involved in the development of national plans of action but take part in their implementation; some non-governmental representatives are members of the national committee. Governments that intend to have a national plan of action expressed support for the inclusion of non-governmental organizations and other institutions in the drafting process.

2. Policy and legal framework

69. Most Governments cite the provisions of the national Constitution and the general education laws as the legal bases for human rights education in schools. Specific laws on human rights education do not yet exist, but several countries are considering this option. One country has an existing executive order that requires the teaching of human rights at all levels of the education system. Another country has a national policy of teaching non-discrimination to students, which was adopted long before the Decade, as well as a recent policy for the implementation of the national plan of action. Still another country has recently adopted policies that support human rights education in schools, such as the prohibition of corporal punishment and of arrest of teachers without the consent of the school principal, and the inclusion of human rights education in the school curriculum.

3. Implementation

70. There are no adequate reports so far on the extent of implementation of the existing national plans of action or of any human rights education programme by Governments in the region. Two countries provided information on human rights education programmes for professional groups. The reports cite programmes for teachers, lawyers and judges among the professional groups, and for women among other groups in need.

71. As far as formal education is concerned, discussions on human rights are integrated into such existing subjects as social studies, geography, history, language, or subjects on life experience; the national Constitution, the Universal Declaration of Human Rights, the International Covenants and the International Convention on the Rights of the Child are mentioned as providing content for human rights education in schools. A number of countries in the region are working on the inclusion of human rights education in the educational system. Review of the school curricula, textbooks, teaching materials and teacher training are being undertaken in this regard. Students also learn about human rights through extra-curricular activities, such as election exercises and essay, oratorial or slogan contests. The participation of schools in the Associated Schools Network Project of UNESCO and the Global Village Game of UNICEF is cited as an example of human rights education in schools. Some Governments report that evaluation of human rights education in schools (mainly at the primary and secondary levels) is done through the regular assessment systems including, in one case, the biannual meetings of teachers and parents.

72. At the tertiary level, there are several countries in which universities include human rights in their syllabuses.

73. National human rights institutions are acknowledged as playing a significant role in national activities for human rights education by producing human rights education materials, involving governmental officials in human rights education workshops, providing ideas on the development of national plans of action and developing human rights awareness-raising programmes for the general public. One national institution has a broad regional programme that includes human rights education. Collaboration between these national institutions and intergovernmental agencies is, however, not done on a regular basis.

74. Governmental agencies (in particular, ministries of education), non-governmental organizations and national institutions have established partnerships within human rights education projects in several countries.

75. Non-governmental organizations have been particularly active in promoting the Decade; regional conferences and workshops have emphasized the need to promote the Decade at the national level, in cooperation with various governmental and non-governmental institutions; non-governmental organizations are also disseminating publications promoting the Decade in the region. Some non-governmental organizations have developed training and mass media (radio and television) programmes. However, there are also many non-governmental organizations which do not carry out activities for human rights education.

4. Obstacles and needs

76. Governments, national human rights institutions, non-governmental organizations and other institutions express similar needs in relation to the implementation of human rights education programmes.

77. Information about existing national plans of action or model plans of action is needed, as is support from intergovernmental agencies in drafting such plans and the provision of corresponding financial support. There is also a need to disseminate research and field studies on human rights, undertake methodological studies to improve the quality of training of trainers and develop specific programmes to educate against racism.

78. The lack of financial support and equipment has also been stressed. Human rights education programmes for the staff of the institutions concerned and for the general public, as well as long-term human rights education programming for specific sectors, are needed. Within the formal education system, there is a need to support the teachers and changes to the school environment. Professional support for advice and networking among human rights educators is also considered necessary, as is a legal environment conducive to human rights education.

79. Awareness-raising of specific issues, such as the relationship between HIV/AIDS and human rights, and the social, economic and cultural context of the concept of equal opportunity, are also identified as issues requiring a specific focus.

80. Better networking between national (governmental and non-governmental) entities and intergovernmental organizations, as well as cooperation, consultation and participation in human rights advocacy efforts are needed. In the absence of a regional human rights mechanism, it was said that opportunities should be explored within the context of the Association of South-East Asian Nations (ASEAN), the South Asian Association for Regional Cooperation (SAARC) and the South Pacific Forum (SPF), and with the Southeast Asian Ministers of Education Organization (SEAMEO) and the Economic and Social Commission for Asia and the Pacific (ESCAP).

D. Europe

81. Europe was the region from which the most replies were received (65). Of the 43 Governments to which the questionnaires were addressed, 17 responded but only 11 filled out the entire questionnaire. Nine national institutions, 23 national non-governmental organizations and 13 institutes or universities also replied.

1. National entities and plans of action

82. Fewer than one third of the Governments which responded have national committees for human rights education. Where such committees exist, there is generally an attempt made to maintain gender balance and a mix of governmental, non-governmental and independent expert participation. In one case, a national human rights committee dealing with human rights education was established more than 10 years prior to the proclamation of the Decade. In another case, a national committee set up to commemorate the fiftieth anniversary of the adoption of the Universal Declaration of Human Rights went on thereafter to become one of the most successful in terms of advancing the goals and objectives of the Decade and its Plan of Action.

83. In most cases, the mandate of the national committees included the preparation of a plan of action for human rights education. Where the mandate was more specific and, in addition to human rights education in the formal schooling sector, included specific human rights education mandates relating to racism, foreigners, women and children, the committees were able to function more effectively. Their effectiveness is also closely related to a diversity of participation, as well as the number of ministries involved. In a few cases, non-governmental respondents portrayed a different and less flattering picture of the national committees and national plans

than did their governmental counterparts. In most cases, where committees were established, a ministry (more frequently, the Ministry of Education) took the initiative. In general, however, advocacy and lobbying by non-governmental organizations were crucial and, in some cases, determinative.

84. Overall, the experience of the region does indicate that various versions of a national focal point exist, and that their existence does have a positive bearing on human rights education. The formal model of national committee set out in the United Nations guidelines has, however, been replaced by other, more informal, entities.

85. In some countries in which there is no focal point for the Decade, work is in progress towards the establishment of a national committee and the elaboration of a national plan of action for human rights education. In one case, a network of human rights coordinators (one in each ministry), charged with pursuing human rights and human rights education questions within and among the ministries, was established, and cooperation with non-governmental organizations and other actors is sought on specific projects, depending on the target audience.

86. Very few national plans of action for human rights education already exist, as such or as part of an overall human rights plan.

2. Policy and legal framework

87. Few countries in the region have an encompassing legislative framework for human rights education. Some legislation does, however, exist in most countries, mainly directed at the primary and secondary school levels. It is least frequent for the pre-school level and mostly absent for the university level. Where legislation does not exist, a mandate for education and for human rights education can be found in administrative actions.

3. Implementation

88. Regarding formal education in schools and colleges, only one Government reports integrated human rights education at all levels: pre-school, primary and secondary. Most of the governmental responses indicate such integration at some levels, mostly primary and secondary. Moreover, the responses indicate that human rights education is rarely imparted during every year of primary and secondary schooling, but is targeted at specific age groups.

89. The Decade has raised awareness of the need for textbook revision, curriculum development and teacher training. This seems to be a work in progress in most countries; in one country, a service centre for human rights education in schools, responsible for systematically providing relevant advice to all school teachers, has been set up. In most countries, however, the work has yet to begin.

90. A large number of activities for human rights education are reported outside the context of formal education: general awareness-raising and public information campaigns, seminars, workshops, training (including, importantly, training of trainers), use of non-print media for communication, use of music, street theatre and the performing arts. The responses under the heading of opportunities indicate that many more windows of opportunity exist than are currently being utilized. They also indicate a low incidence of technical assistance and, while some collaboration with United Nations institutions is taking place, there is clearly room for much greater collaboration.

91. Issues of discrimination, racism, minorities, inter-generational and intra-generational equity, gender, youth and conflict resolution appear to be attracting the attention of both non-governmental organizations and Governments. There is also concern about pupils' rights and equity in the school system.

92. Human rights education aimed at professional groups is reported with regard to law enforcement, the administration of justice and prison officials, and less so with regard to officials working in ministries relating to the economy and social welfare.

4. Obstacles and needs

93. All of the obstacles identified in the other regions are also reported for Europe. They include the familiar list of lack of resources, political will, technology and time. One response lists as an obstacle, in formal education, the emphasis placed on gaining knowledge rather than on the development of the student's personality and attitude. Another respondent points more positively to a progression in human rights education: from learning to know, to learning to do, to learning to live together and to learning to be.

94. The needs identified include financial, human and technical resources, training materials, methodologies (especially relating to the evaluation of human rights education) and appropriate equipment. Another list of needs relates to enhanced coordination, cooperation and networking.

95. The responses also mentioned the importance of assessing the human rights education needs of specific sectors (e.g., minorities, workers, indigenous peoples) or in regard to specific issues and practices (e.g., racism, discrimination).

E. Cross-regional trends

96. An overall analysis of the information gathered in connection with the mid-term review reveals a number of trends in all regions. The trends raise significant issues that are likely to affect the effective implementation of human rights education programmes. The following are noted:

(a) Responsibility for human rights education is vested in a wide variety of national entities. The effectiveness of their activities varies greatly;

(b) Many activities for human rights education exist independently of national plans of action. There is a strong correlation between the degree of participation by various sectors of society in the development of a plan and its effective implementation;

(c) Many of the wide range of activities for human rights education reviewed appear to be one off efforts with little or no follow up (e.g., conferences and seminars without an overall strategy). This may put into question their long-term impact;

(d) The responses do not indicate a clear correlation between legislation which supports human rights education and the actual incidence of activities for human rights education. In their replies, respondents focused exclusively on laws relating to the establishment of a mandate and the obligation to provide human rights education; however, several other laws are of considerable importance. Laws may restrict education or justify discrimination in access to education. Laws restricting the media and laws restricting human rights educators or repressing human rights defenders are of crucial importance as well;

(e) Except for one country, no responses indicate treatment of human rights as a separate subject in schools. The only examples of human rights being treated as a separate subject at the university level were in the programmes of specialized human rights institutes;

(f) The Decade has raised awareness of the potential for human rights education through extra-curricular activities but examples so far involve activities confined mainly to the schools themselves. The scope for extra-curricular activities that reach out from the school to the community and family remains largely underutilized;

(g) The evaluation of activities for human rights education is still very rarely carried out. For instance, the evaluation of human rights education in schools takes place only as part of the regular evaluation process within the school or the Ministry of Education, and not as a separate issue;

(h) Human rights education in the pre-service and in-service training of professional groups, as reported, is very limited. In particular, governmental officials need to be aware of all legal reforms, especially those concerned with human rights. While some human rights training is reported with regard to law enforcement, the administration of justice and prison officials, it is less so with regard to officials working in ministries relating to the economy and social welfare, although they also need an adequate understanding and knowledge of human rights practices in order to integrate them into their daily professional activities.

IV. Reviewing the first five years: international experience

97. The present section provides an analysis of the responses to the questionnaires by intergovernmental organizations and non-governmental organizations. It focuses on the contribution of the United Nations system, given the specific role attributed to it by the General Assembly which, in proclaiming the Decade, invited the specialized agencies and United Nations programmes to contribute, within their respective spheres of competence, to the implementation of the Plan of Action for the Decade (resolution 49/184, para. 10). The World Conference on Human Rights had previously urged all United Nations organs, bodies and the specialized agencies whose activities deal with

human rights to cooperate in order to strengthen, rationalize and streamline their activities.[9]

98. Only 16 intergovernmental organizations (all except one belonging to the United Nations system) of the 42 to which the questionnaire was addressed responded, hence the information provided has been supplemented with data gathered from other sources. In addition, responses were received by 40 non-governmental organizations which defined themselves as international.

A. United Nations system

1. Office of the United Nations High Commissioner for Human Rights[10]

99. In connection with the Decade, the Office of the High Commissioner was given a double role: an overall coordinating role and responsibility for directly implementing some of the activities outlined in the Plan of Action.

100. In its coordinating role, the Office has disseminated information on the Decade and on human rights education by answering related inquiries, on a daily basis, from all Decade actors. A specific page on the Decade has been developed for the web site of the Office and is periodically updated.[11] Annual reports to the General Assembly and to the Commission on Human Rights on the implementation of the Plan of Action are prepared on the basis of information provided by the principal Decade actors, at the request of the Office. The Office actively encourages, participates in and provides advice on the organization of international, regional and national activities for human rights education undertaken within the framework of the Decade.

101. In its implementing role, the Office has focused on the following main courses of action in order to contribute to the achievement of the objectives of the Decade:

(a) Establishment of ad hoc partnerships, within specific projects, with other entities of the United Nations system and with other actors;

(b) Strengthening of national capacities for human rights education, including through the organization of educational and training activities and the facilitation of information-sharing, within the context of the technical cooperation programme in the field of human rights;

(c) Provision of support to grass-roots initiatives, through the Assisting Communities Together (ACT) Project, aimed at financially assisting organizations and individuals which carry out human rights activities in local communities;

(d) Development of educational, information and training materials;

(e) Global dissemination of the Universal Declaration of Human Rights. A database containing more than 300 language versions of the Declaration is available through the web site of the Office.[12] For this project, the Office has been mentioned in the *Guinness Book of World Records*, the Universal Declaration of Human Rights being the most translated document in the world.

2. United Nations Educational, Scientific and Cultural Organization

102. As envisaged in the Plan of Action for the Decade, cooperation between UNESCO and the Office of the High Commissioner has increased during the first five years of the Decade. The Office and UNESCO have implemented three joint worldwide projects: broad dissemination of the Universal Declaration of Human Rights in schools, in 1997; dissemination of the guidelines for national plans of action for human rights education, in 1998; and a global survey on human rights education materials, organizations and programmes, in 2000. Consultation on the respective activities of the two has also substantially increased.

103. Within this framework, UNESCO has been focusing its contribution to the Decade on three areas:

(a) Strengthening human rights education capacities at the national and regional levels, including the organization of four regional conferences on human rights education in Europe (Finland, 1997), Africa (Senegal, 1998), Asia and the Pacific (India, 1999) and in the Arab world (Morocco, 1999);

(b) Development of materials on human rights education. These include various manuals, studies, bibliographies and directories;[13]

(c) Commemoration of the fiftieth anniversary of the adoption of the Universal Declaration of Human

Rights. Activities in this area included an awareness-raising campaign with the production of promotional material (posters, calendars, publications etc.) and the organization in 1998 of a panel on the theme "Human rights education: building a universal culture of human rights".

3. Other United Nations institutions: an overview[14]

104. A brief description of the contribution to the Decade by other organizations of the United Nations system follows.

United Nations programmes and units of the Secretariat

105. The Department of Public Information raises public awareness of basic human rights and key human rights issues by producing radio and television programmes and other materials (posters, brochures, booklets etc.) in the six official languages of the United Nations and in others, which are widely disseminated to the media and the public in general through the network of United Nations information centres and through the Internet. Training for journalists, press conferences, briefings and seminars to inform the media of the work of the United Nations in human rights are held on a regular basis. The Department of Political Affairs has substantively included human rights education in the activities of its peace-building offices in Guatemala, Guinea-Bissau, Haiti, Liberia and Sierra Leone.

106. UNICEF has incorporated the education of young people as an important component in its advocacy programme concerning the Convention on the Rights of the Child, through the development of an appropriate educational strategy, the conduct of workshops for trainers and the development of materials emphasizing the methodology and content of human rights education. A network of educators and others involved in human rights and child rights has been established to facilitate the exchange of experience and ideas. UNICEF is exploring the application of a child rights approach to the wider educational process.

107. Since the adoption of its policy on integrating human rights into sustainable human development in 1998, UNDP, working in close cooperation with the Office of the High Commissioner, has included human rights in its training at all levels, and has drawn the attention of its resident representatives to the objectives of the Decade. Regional and subregional workshops on human rights-based approaches to development have been organized for UNDP resident representatives and staff and for governmental representatives, and relevant materials have been developed. A joint global subprogramme, HURIST (on the strengthening of human rights) has been launched by UNDP together with the Office of the High Commissioner.

108. The Office of the United Nations High Commissioner for Refugees (UNHCR) has developed programmes on human rights education which focus in particular on refugee issues, both for its staff and for refugees. Pilot projects in the field of peace education and conflict resolution have been offered to children and adults in refugee and returnee communities, and related training modules have been prepared. The fiftieth anniversary of the adoption of the Universal Declaration of Human Rights prompted the development of a kit of basic educational materials to promote peace, conflict resolution and human rights in refugee schools. Annual refugee law seminars are held in Europe to promote refugee law clinics.

109. The United Nations Environment Programme (UNEP) has geared its activities towards the promotion of the right of human beings to a safe and healthy environment, which is intertwined with the right to life, health, adequate housing and food, and the right to safe and healthy working conditions. It promotes public participation in environmental decision-making as part of its regular programme.

110. The United Nations Population Fund (UNFPA) focuses on the health, sexual and reproductive rights of women, and funds an international training programme on sexual and reproductive rights at the Faculty of Law of the University of Toronto. The United Nations Volunteers programme (UNV) is working to create innovative programming to assist in human rights promotion at the grass-roots level and in the area of administration of justice. The United Nations Centre for Human Settlements (Habitat) is developing a programme, in consultation with the Office of the High Commissioner for Human Rights, on housing and land rights, and is planning campaigns on good urban governance and security of tenure. The secretariat of the United Nations Conference on Trade and Development (UNCTAD) is promoting the right to development at the national and international levels.

The World Food Programme (WFP) has produced a brochure in various languages on the role of food in relation to the promotion and protection of human rights, both in development and in emergency situations.

111. The Centre for International Crime Prevention, together with the United Nations Interregional Crime and Justice Research Institute (UNICRI), is raising public awareness of the rights of victims of crimes and persons belonging to minorities, the human rights of convicted persons, trafficking in human beings, and forced labour and sexual exploitation. The International Research and Training Institute for the Advancement of Women (INSTRAW) is seeking to work with the Office of the High Commissioner in the preparation of a framework for mainstreaming the principle of the interdependence between all human rights and the principle of gender equality within the United Nations. The United Nations Research Institute for Social Development (UNRISD) is planning to assist in the development of activities for human rights education at the national and local levels, through the national researchers and social activists which collaborate with UNRISD, and has published books on such issues as ethnic diversity and public policy, and ethnic conflict and development. The United Nations Institute for Training and Research (UNITAR) has included modules on human rights in its regular training programmes for members of the permanent missions to the United Nations, and has also carried out a survey of general institutes and training programmes within the United Nations addressed to the personnel of Member States. The United Nations University (UNU) in 1999 organized a six-week pilot international human rights course which addressed economic and political issues, refugees and human rights, and international human rights in a post-cold war world, and will include human rights issues in the international courses to be organized in the future.

Specialized agencies

112. The International Labour Organization (ILO) assists in training and develops training materials related to labour rights and the international labour conventions, and provides ongoing training programmes at its International Training Centre at Turin, Italy. ILO has expanded its public information programme on the basic human rights conventions, in particular with respect to such groups as parliamentarians and members of labour tribunals, and the mass media. Its regular training activities are directed at workers' and employers' organizations, as well as students and teachers from various academic institutions. In 1998, ILO published *The Universal Declaration of Human Rights and ILO Standards*,[15] a comparative analysis on the occasion of the fiftieth anniversary of the Declaration.

113. The World Bank considers education to be one of its strategic priorities; it supports the goals of the Decade and will assist the efforts of member countries in the achievement of such goals and principles. It has recently published *Development and Human Rights: The Role of the World Bank*.[16]

114. Other specialized agencies have focused on rights related to their specific mandate. The Food and Agriculture Organization of the United Nations (FAO) has developed materials and is promoting the right to food, and the World Health Organization (WHO) has focused on the right to health, human rights in relation to HIV/AIDS and is developing a human rights strategy.

Regional commissions

115. The role of the regional commissions in regard to the Decade has varied greatly. The Economic Commission for Europe (ECE) expresses general support for the Decade, although it indicates that its programmes are not directly related to human rights education and that it does not carry out or plan to carry out any activity relating to human rights education. The Economic Commission for Latin America and the Caribbean (ECLAC), on the other hand, mentions that it is already working towards the achievement of the objectives of the Decade. It has collaborated with the Inter-American Institute of Human Rights in an interdisciplinary course on human rights, and envisages a joint research project on economic, social and cultural rights and their realization. It also supports the global dissemination of the Universal Declaration of Human Rights. The Economic Commission for Africa (ECA) does not yet have programmes or materials on human rights education, however, it contributes to the sensitization of the African people on the correlation between human rights violations and conflicts on the continent through national and subregional forums. ECA has embarked on a project to assess the state of governance in Africa and is using, as indicators in this

project, the frequency of human rights violations and the actions to redress them.

4. Obstacles and needs

116. The lack of financial resources was indicated as a main obstacle to the implementation of activities for human rights education. It was suggested that a way to address this problem could be to develop better networking among the various partners, on the basis of complementary work. Another obstacle relates to the lack of understanding of human rights within organizations, which leads to the absence in them of substantive divisions that focus on human rights.

117. The need to disseminate, within the United Nations system, practical and simple information on the United Nations human rights machinery and to improve the working relationship with the Office of the High Commissioner for Human Rights have been stressed, as has the importance of developing large-scale, comprehensive programmes on human rights education and of focusing United Nations work on the empowerment of national human rights organizations and bodies.

B. Other intergovernmental organizations

118. The activities for human rights education undertaken by the three organizations mentioned below are excerpted from annual reports of the Office of the High Commissioner on the Decade.

119. The International Criminal Police Organization (Interpol) is promoting human rights in three areas: the development of an international code of police ethics; the promotion of human rights training in police academies; and the collection and dissemination of information on slavery and similar practices. The International Committee of the Red Cross (ICRC) underlined the fact that, within the framework of the Decade, all States should be reminded of their obligation, under international law, to teach and disseminate international humanitarian law among members of the armed forces and civilians. ICRC participates in this effort by producing pedagogical materials (such as cartoons, videos and books, adapted to different regions), promoting international training sessions for members of the armed forces, providing direct training to national trainers, and carrying out awareness campaigns in various countries, in particular through the media.

120. In the first year of the Decade, the Commonwealth Secretariat organized, in September 1995, the Commonwealth Oxford Conference on Human Rights Education, which adopted an agenda and framework for activities for human rights education throughout the Decade. As a follow-up, a regional workshop was held for the Pacific region in July 1996. In addition, the organization sponsored a three-year (1995-1997) study, entitled *Commonwealth Values in Education: Young People's Understanding of Human Rights*, which deals with human rights education at the secondary school level in 23 schools of four Commonwealth countries, and which led to a series of recommendations aimed at furthering human rights education, addressed to Commonwealth ministers with related responsibilities.

C. Regional organizations

121. Only one questionnaire was returned by a regional organization. A brief overview of regional activities for human rights education as mentioned in the annual reports of the Office of the High Commissioner on the Decade, follows.

Intergovernmental human rights mechanisms

122. As a specific contribution to the Decade, the Council of Europe published in June 1999 a preliminary survey of human rights education and training in the member States of the Council of Europe and States with special guest status, prepared in consultation with the Office of the High Commissioner. Within its ongoing programme, the Council of Europe has produced and distributed promotional materials (such as posters, postcards, T-shirts, calendars), specifically targeted materials (for youth, national non-governmental organizations, police and prison officials) and other resource materials (bibliographies and directories). The Inter-American Commission on Human Rights has held human rights seminars and is in the process of identifying priority subregions and countries in which to conduct such seminars in the future; lack of personnel and funding were highlighted as the main obstacles to its adopting a more proactive role within the Decade. The Organization of African Unity has adopted some resolutions concerning human rights education in Africa.

Other regional organizations

123. The European Union has highlighted its funding role vis-à-vis human rights education projects, with an emphasis on the establishment of information networks and research centres and the training of officials working in the administration of justice and in the armed forces, notably in Africa and Central America. In 1997, the European Union established the European Masters Degree in Human Rights and Democratization, in conjunction with 15 partner universities. The Organization for Security and Cooperation in Europe (OSCE) has been contributing to the achievement of the objectives of the Decade through its ongoing activities.

D. Non-governmental organizations

124. Most international non-governmental organizations which responded to the global survey are involved in organizing training seminars, workshops and courses, and in producing materials to create greater awareness of human rights issues or for use in programmes on human rights education. They largely concentrate on the human rights issues that relate to their own mandate, and carry out generic work on human rights awareness to increase support for their particular concerns. Only a couple of respondents are solely dedicated to human rights education and only one other has a substantial programme on human rights education, which is carried out by its national branches.

125. Very few international non-governmental organizations seem to be aware of governmental efforts related to the Decade and were engaging with the authorities in the development of programmes on human rights training. Most of them organize joint conferences, seminars and other public events on issues relevant to their mandate, together with or with the support of intergovernmental organizations. There seems to be extensive exchange of information and collaboration between international non-governmental organizations and local non-governmental organizations.

126. The major obstacles identified by international non-governmental organizations is the lack of public awareness of and interest in human rights issues, and the difficulties encountered by, and dangers to the physical integrity of, their staff and supporters in some countries. The lack of human resources and political will on the part of Governments to support greater and wider knowledge of human rights are also seen as impediments to their efforts and as factors that need to be addressed.

127. International non-governmental organizations in general also identify the need for more training programmes for all sectors of society, and for the production of pedagogical materials, curriculum development and other materials on human rights education, for all ages.

E. Trends

128. An overall analysis of the information received from international organizations reveals a number of trends:

(a) The occasion of the fiftieth anniversary of the adoption of the Universal Declaration of Human Rights witnessed several United Nations organizations undertaking specific activities for human rights education. The anniversary appears to have had a greater catalytic impact on the United Nations system than has the Decade;

(b) Although several international and regional intergovernmental organizations are undertaking activities for human rights education, there remains inadequate coordination among the relevant focal points, where they exist;

(c) Since the proclamation of the Decade, several intergovernmental organizations, notably some within the United Nations system, have affirmed their support for the Decade. There remains, however, a large gap between the resources allocated to activities for human rights education by such institutions and their affirmation of support. The additional resources that would enable them to develop programmes within the framework of the Decade have been rarely available, and the information sent to the Office of the High Commissioner has referred mainly to their ongoing activities;

(d) Although entrusted with the worldwide coordination of the Plan of Action for the Decade, the Office of the High Commissioner, was not assigned additional financial resources in that regard. To carry out a minimum set of activities, the Office relies on unearmarked voluntary funds; activities for the Decade

compete for resources with the other priorities of the Office;

(e) The potential role of United Nations human rights treaty bodies in monitoring the obligations of States in regard to human rights education has not yet been fully exploited;

(f) The review indicates that international organizations, both governmental and non-governmental, have not fully appreciated and utilized the potential for mobilization offered by the Decade.

V. Recommendations

129. The following main findings of the mid-term global evaluation provide the basis for the following recommendations:

(a) **Obligations of States.** States Members of the United Nations have unanimously proclaimed the United Nations Decade for Human Rights Education, thereby making commitments relating to human rights education, as set out in General Assembly resolution 49/184. Prior to the Decade, Member States had ratified human rights treaties which contained provisions on human rights education, thereby setting themselves treaty obligations with regard to education in general and human rights education in particular. The evaluation, however, reveals that effective national strategies for human rights education have very rarely been developed;

(b) **United Nations system.** The United Nations system has yet to adopt a system-wide response to the Decade, even though the United Nations reforms currently under way call for a system-wide mainstreaming of human rights in all United Nations activities, from needs and country assessment to priority-setting, programming, monitoring and evaluation;

(c) **National and local actors.** National and local actors have contributed greatly towards the achievement of the goals and objectives of the Decade. As indicated above, the Decade has been a catalyst in eliciting a response from Governments but the response has been uneven and clearly much more needs to be done. Both the United Nations and its Member States have repeatedly recognized the invaluable contribution of non-governmental organizations to human rights education. The present review reconfirms that non-governmental organizations are key actors in that field, and that the Decade is slowly but increasingly proving to be a catalyst and an umbrella for their efforts. There is a growing need, however, for increased collaboration and coordination between governmental and non-governmental actors in respect of their human rights education activities;

(d) **Regional cooperation**. The importance of regional and subregional approaches is clearly reflected in the work of non-governmental actors at those levels. The present review, however, indicates that while there are well-established intergovernmental regional structures, both within and outside the United Nations, the potential of such structures to contribute to the realization of the goals of the Decade remains largely unfulfilled;

(e) **Monitoring, implementation and evaluation**. Despite the considerable efforts of the Office of the High Commissioner for Human Rights, it is clear from the experience of the first five years of the Decade that monitoring and evaluation of the Decade need to be strengthened at all levels (international, regional, subregional, national and local) and by all actors (intergovernmental, governmental and non-governmental alike);

(f) **Resources**. An enormous gap remains between the commitments and obligations made in connection with the Decade, the expectations raised, and the resources actually committed at every level. This gap must be filled as a matter of urgency, if the remaining years of the Decade are to leave a strong foundation of achievement for subsequent work which will truly meet the needs of all for human rights education. Sustainability of activities beyond the Decade is a crucial issue since, as the Decade itself clearly demonstrates, human rights education is indeed a lifelong process.

A. Overall recommendations

130. Set out below are overall recommendations directed at all principal actors and for implementation at all levels.

Human rights education: concepts and methods

131. Value-oriented human rights education alone is insufficient. Human rights education should make reference to human rights instruments and mechanisms

of protection, and to procedures for ensuring accountability.

132. Creative participatory teaching methods that are relevant to peoples' lives should be used, and human rights should be introduced as a holistic framework.

133. Gender sensitivity should be emphasized in all educational activities.

134. An enabling environment for human rights educators (including the provision of information, training, facilities, equipment and protection from harassment) should be ensured.

135. Priority should be given to sustainable approaches (i.e., training of trainers, integration of human rights into all relevant training and educational curricula etc.).

Content of human rights education

136. Activities for human rights education should address the following issues:

(a) Economic, social and cultural rights;

(b) Good governance;

(c) Impunity, and international criminal tribunals to deal with crimes against humanity;

(d) Human rights defenders (and the related United Nations declaration), racism and discrimination.

137. The link between development and human rights should be stressed.

138. The universality and indivisibility of human rights should be emphasized.

Programmes on human rights education

139. Sufficient attention should be paid to ensure that the human rights education needs of children and young people, as well as of adults, are met.

140. Interaction among children and youth belonging to different ethnic communities should be promoted. Human rights education should be fostered within and outside school curricula.

141. Human rights education should be promoted in all educational initiatives aimed at adults.

142. Human rights education efforts aimed at the following targets should be increased:

(a) Local government officials, community leaders (both secular and religious);

(b) Legal and paralegal service providers;

(c) Rural populations and illiterate people;

(d) Women and girls;

(e) Vulnerable groups, such as people with HIV/AIDS, people with disabilities, minorities and the elderly;

(f) Non-state actors, such as multinational corporations, trade and financial organizations (World Trade Organization, World Bank, International Monetary Fund etc.).

143. The utilization of the United Nations Decade for Human Rights Education for mobilization and the establishment of partnerships should be increased.

Evaluation, research and monitoring

144. Evaluation and studies and research of long-term impact should be undertaken in order to better understand which approaches work best and why, and in order to elaborate evaluation criteria. Every project on human rights education should incorporate the development of indicators to evaluate qualitative impact.

Mass media and freedom of information

145. Mass media strategies that would effectively promote human rights should be developed. Such strategies might include the following elements:

(a) Media focus on human rights monitoring;

(b) Increasing the use of the media by non-governmental organizations;

(c) Training of media professionals on mechanisms for human rights protection;

(d) Involvement of the community of artists;

(e) Use by the media, when appropriate, of techniques of social marketing.

146. Law reform, policies and practices that improve access to information and strengthen mechanisms that facilitate the flow of information and freedom of the press and other media should be promoted and implemented more vigourously. Human rights

education should focus on such law reform policies and practices.

147. The possibilities offered by new information technologies in furthering human rights education should be better exploited, and access to such technologies should be increased. Existing programmes supporting the online development of projects on human rights education should be strengthened and new programmes implemented.

Resources

148. Good practices for human rights education should be identified, compiled and disseminated.

149. Organizational capacity-building in human rights education should be fostered.

150. Funding for human rights education should be increased.

151. Research on issues related to human rights education should be enhanced in academic institutions and human rights institutes.

152. When appropriate, alliances with the business sector should be developed in support of human rights education.

B. National level

153. Governments should reaffirm the commitments and obligations that they have already made in respect of human rights education and accelerate their pace of implementation so as to realize significant achievements by the end of the Decade.

154. Governments should promote the development of national strategies for human rights education which are comprehensive (in terms of outreach), participatory (in terms of involvement of all relevant actors), effective (in terms of educational methodologies) and sustainable (over the long term). Such strategies could be embodied in a national plan of action for human rights education (the relevant United Nations guidelines provide guidance in this regard).

155. Human rights education should be included as a component of national development plans and of other relevant national plans of action (general plans of action on human rights or those relating to women, children, minorities, indigenous peoples etc.).

156. All governmental and non-governmental actors should recognize, in a spirit of mutual respect, each other's potential and capacities in furthering human rights education. Partnerships should be established where cooperation (rather than co-option) is furthered. Maximum use should be made of existing programmes, materials and resources.

157. Systems for better coordination of effort and greater cooperation among the various governmental agencies should be developed.

158. Non-governmental organizations should develop and implement strategies to encourage Governments to fulfil their obligations to integrate human rights education into all forms and levels of education for children, youth and adults, and should monitor those strategies.

159. International resources and materials should be adapted to local linguistic and cultural contexts.

C. Regional level

160. Key regional human rights education organizations, institutions, agencies and networks should be supported (or, if necessary, established) to develop further the human rights education capacity within regions, including support for regional meetings, training of trainers, online networking, sharing of region-specific materials etc.

161. Region-specific programmes or coordination systems to maximize the participation of national entities (whether governmental or non-governmental) in programmes on human rights education should be developed. Such region-specific programmes can be linked to existing regional programmes supported by the United Nations.

162. Strategies should be developed for the wider distribution of materials on human rights education through regional networks.

163. Links should be established with regional mass media, social development and other groups to encourage the inclusion of human rights in their training programmes.

164. Existing regional intergovernmental organizations should be encouraged to integrate human rights education into their programmes and to allocate

additional resources in that regard within the framework of the Decade.

165. Work with regional, education-related intergovernmental organizations should be enhanced in order to promote human rights education.

D. International level

166. United Nations institutions should adopt a system-wide approach to the Decade. An effective coordination system should be developed and the role of the Office of the High Commissioner for Human Rights in such a system should be strengthened.

167. Effective human rights training should be undertaken for all United Nations staff.

168. Human rights education should be included in the agenda of the special session of the General Assembly on the follow-up to the World Summit for Children, 2001.

169. The Office of the High Commissioner, as requested by the General Assembly, should monitor the developments in human rights education that take place during the Decade. In this regard, Governments should provide adequate means to enable the Office to fulfil that role.

170. UNESCO, through its network of national commissions, should play an active part in encouraging Governments to develop human rights curricula for formal education and to take steps to ensure that school environments are conducive to human rights education.

171. United Nations treaty bodies should emphasize the obligations of States parties with regard to human rights education by actively seeking detailed information during their review of the reports of State parties. Inadequacies in addressing priority target audiences should consistently be identified by treaty bodies as an area of concern. In addition, treaty bodies should perform a clearing-house role by sharing with Governments approaches and strategies that have proven successful elsewhere, and should keep the Office of the High Commissioner informed of major national developments in human rights education.

172. The capacity for human rights education of national presences of intergovernmental organizations (United Nations resident coordinators, field presences of the Office of the High Commissioner for Human Rights, United Nations information centres, national and local offices of United Nations agencies etc.) should be strengthened so that they can provide technical support to national and local activities for human rights education.

173. Intergovernmental organizations should facilitate collaboration between governmental institutions and non-governmental organizations at the national level.

174. Educational materials developed by international organizations should be made easily accessible, distributed free of charge and translated into local languages.

175. The potential support and contribution to human rights education by non-state actors, including the business community, as well as development, trade and financial organizations, should be explored.

VI. Conclusions

176. The right to human rights education has been reaffirmed in several international and regional human rights instruments. Adequate resources should be allocated by the responsible parties for the realization of the right to human rights education.

177. Human rights education is also an important strategy for achieving several important ends, notably empowerment, participation, transparency, accountability, the prevention of conflict, conflict resolution, peacemaking and peace-building, and the more effective protection and realization of all human rights for all.

178. The Decade remains the sole mechanism for global mobilization of strategies for human rights education; that potential must be more effectively utilized in the remaining years of the Decade, thus laying the foundations for sustainability beyond the Decade.

Notes

[1] The questionnaires have also been disseminated through the web site of the High Commissioner (see <*http://www.unhcr.ch/html/menu6/1/edudec.htm*>).

[2] Messages were received from 2 governmental officials, 5 national institutions, 22 national non-governmental organizations, 9 human rights institutes and university departments or faculties, and 5 other partners. Messages

were also received from 2 intergovernmental organizations and 5 non-governmental organizations. A total of 50 replies.

[3] Such accounts are available, in a summary form, in the relevant reports of the High Commissioner and of the Secretary-General, submitted periodically to the General Assembly and to the Commission on Human Rights.

[4] Vienna Declaration and Programme of Action (A/CONF.157/24 (Part I), chap. III), sect. II.D, para. 78.

[5] Ibid., para. 81.

[6] Ibid., para. 82.

[7] The resolution of the Assembly and other basic documents concerning the Decade are contained in basic information kit No. 4, "Human rights education: lesson for life", published by the Office of the United Nations High Commissioner for Human Rights.

[8] See A/51/506/Add.1, appendix, sect. IV.

[9] Vienna Declaration ..., sect. II.A, para. 1.

[10] Detailed information about the activities of the Office within the framework of the Decade is provided in "United Nations Decade for Human Rights Education (1995-2004): briefing note for permanent missions, 28 July 2000", available on the web site of the Office (*<http://www.unhchr.ch/html/menu6/1/edudec.htm>*).

[11] The address is *<http://www.unhchr.ch/html/menu6/1/edudec.htm>*.

[12] The address is *<http://www.unhchr.ch/udhr/index.htm>*.

[13] Since December 1998, free access to these publications and other related information is available online at *<http://www.unesco.org/human_rights/index.html>*.

[14] Separate mention of the human rights treaty bodies is needed. Responding to an inquiry from the High Commissioner in 1995, the United Nations human rights treaty bodies expressed interest in offering to States concrete suggestions on the implementation of the obligations assumed by them in connection with human rights education and awareness-raising. The treaty bodies, especially the Committee on Economic and Social Rights, have an important role to play in monitoring the implementation of recommendations relating to human rights education. In support of their efforts, the Office of the High Commissioner prepared a study on human rights education and human rights treaties.

[15] Lee Swepston and the International Labour Office, Geneva, 1998.

[16] World Bank, Washington, D.C., 1998.

Annex

United Nations Decade for Human Rights Education (1995-2004): responses received to questionnaires as at 31 July 2000, by region and institution

Institution	*International*	*Africa*	*Americas*	*Asia*	*Europe*	*Total*
Governments	-	7	7	4	17	35
Intergovernmental organizations	15	-	1	-	-	16
National institutions	-	3	8	3	9	23
Non-governmental organizations	41	13	21	14	23	112
Institutes and universities	-	4	7	2	13	26
National commissions for UNESCO	-	-	1	-	3	4
Other	1	-	-	1	-	2
Total	**57**	**27**	**45**	**24**	**65**	**218**